

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

48 & 49 Vic., Ch. 78.

ANNUAL REPORT

OF THE

COMMISSIONERS,

FOR THE YEAR

1889-90,

WITH

ABSTRACT OF THE MINUTES OF THE COMMISSION,
MINUTES OF EVIDENCE, AND APPENDICES.

Presented to both Houses of Parliament by Command of Her Majesty.



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FIFTH REPORT

OF THE

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

TO HIS EXCELLENCY LAWRENCE, EARL OF ZETLAND.

LORD LIEUTENANT GENERAL AND GENERAL GOVERNOR OF IRELAND.

MAY IT PLEASE YOUR EXCELLENCY,

We, the Commissioners appointed under the Educational Endowments (Ireland) Act, 1885, have the honour to submit to your Excellency the following Report of our proceedings during the fifth year in which the Act has been in operation, that is, from October 1, 1889, to September 30, 1890.

The number of meetings which we have held during the year for the transaction of the business of the Commission has been as follows:

84 Meetings of the full Commission.
41 Meetings of the Judicial Commissioners.
26 Meetings of the Assistant Commissioners.

Total, 148 Meetings.

A Return of the attendances at these Meetings is annexed; *infra* p. xxiii.

We have also individually taken part in the drafting of Schemes, and have attended at the Office of the Commission for the transaction of business, on occasions not included in the Return.

The annexed abstract of our Minutes, *infra* pp. xxiii-c., contains a summary of our proceedings during the year.

Since the date of our last Report, a change has occurred in the constitution of our Commission. Lord Justice Naish resigned his office of Judicial Commissioner on January 21, 1890. He was then suffering from the illness which has since terminated fatally, to the deep regret of all his colleagues.

Mr. Justice O'Brien was appointed a Judicial Commissioner on February 6, 1890.

In October, 1889, Lord Justice Naish intimated to us that he found himself, from ill health, unable to continue to act on the Commission any longer than might be necessary to dispose of such Schemes as had already been under his consideration.

Between October 1, 1889, and the date of Lord Justice Naish's resignation, we devoted ourselves to the advancement and completion of those Schemes which at the date of our last Report were still pending, and during this period twenty-two such Schemes were completed, signed by the Judicial Commissioners, and submitted to the Lord Lieutenant.

During the year, thirty-two Schemes were considered by the Lord Lieutenant in Council; of these twenty-eight were approved, and four were remitted to us with Declarations, with which we have complied in framing Amended Schemes. Since September 30, 1890, two further Schemes have been remitted, and two have been approved.

We have, during the year, published twenty Draft Schemes, of which eight have been signed by the Judicial Commissioners, and twelve are still under consideration, upon objections presented to us. We had also to prepare, for the consideration of the Lord Lieutenant, observations upon the objections which were lodged with the Clerk of the Privy Council to the Schemes submitted by us.

From the appointment of our Commission down to November 22, 1890, we have published, in all, ninety-eight Draft Schemes, of which sixty-six have been finally approved, and are now in operation; two have been provisionally approved, and are awaiting final approval; two have been remitted to us with Declarations which we are engaged in carrying into effect; five are awaiting consideration by the Lord Lieutenant; twenty-two are pending before us; and one, after provisional approval by the Lord Lieutenant, has been laid before Parliament under section 27 of our Act. Many of these Schemes include a large number of distinct Endowments, held upon similar or analogous trusts, which it was advantageous to place under the same management.

Table F., *ibid.*
p. 200

Table II., *infra*
p. xiii.

The Endowments with which we have already dealt include School buildings and premises valued at £9,063 15s. 7d. per annum, and a total annual income from houses and lands of £16,450 5s. 9d., and from trust funds of £18,734 18s. 8d.; and the estimated annual income from fees, subscriptions, and other sources, attached to the Institutions to which these Endowments belong, amounts to £63,047 9s. 0d.; showing the total annual amount to be administered under the Schemes already published to be £107,296 9s. 0d.

Tables annexed to this Report.

We beg to refer to the Tables annexed to this Report for information as to the details of our work, under the following headings:—

Infra, p. ix. Table I. Draft Schemes already published, and stages through which each Scheme has passed.

Infra p. xiii. Table II. Endowments and Income of the Institutions for which Draft Schemes have been published.

Infra p. xvii. Table III. Objections and Amendments received and considered by the Commission during the past year.

Infra p. xix. Table IV. Endowments with respect to which inquiries have been held, and the preparation of Schemes is under consideration.

Infra p. xxi. Table V. Endowments declared exempt from the jurisdiction of the Commission.

Infra p. xxii. Table VI. Exempt Endowments with respect to which applications for Consent Schemes have been received, and are under consideration.

Infra p. xxiii. Table VII. Public Sitzings of the Commission held during the past year.

The Royal School Endowments.

Ulster Royal Schools. The Scheme for the re-constitution of the Commissioners of Education in Ireland, and for the future government and management of the Ulster Royal School Endowments, which was first signed by the Judicial Commissioners on June 20, 1889, was remitted to us by the Lord Lieutenant on November 6, 1889, with the following Declaration:—

1. That the Scheme should provide for the final distribution of the Endowments of each District between the two Local Boards, in the same proportion and on the same conditions as those by which the Scheme proposes to distribute the minimum grants.

2. That the Commissioners of Education should consist of twenty members only, namely, ten Commissioners appointed by the Lord Lieutenant, and ten Commissioners appointed by the Local Boards; and that, as regards the appointment of Commissioners by the Lord Lieutenant, the following words be omitted from the end of paragraph 2 of Clause 4 of the Scheme, "and of the five Protestants, one at the least shall be a member of the said Church, one at the least shall be a Presbyterian, and one at the least shall be a Methodist."

3. That the Council are of opinion:—

(a) That the Armagh Protestant Local Board should consist of eight representatives of "The Church of Ireland," and one representative of the Methodist Church, from the Armagh and Tyrone Districts.

(b) That the Tyrone Protestant Local Board should consist of eight representatives of the Presbyterian Church, and one representative of the Methodist Church, from the Tyrone and Armagh Districts.

(c) That the Protestant share in the Armagh School premises be assigned to the Armagh Protestant Local Board, and that the Protestant share in the Dunganstown School premises be assigned to the Tyrone Protestant Local Board; subject in both cases to any just claim for compensation by reason of portions being erected by "Church of Ireland" or Presbyterian Benefactors.

(d) That the revenues from the Armagh and Dunganstown Royal School Endowments, after crediting the Armagh Protestant Local Board with all private Endowments given by donors belonging to "The Church of Ireland," and the Tyrone Protestant Local Board with all private endowments given by donors belonging to the Presbyterian Church, should be allocated equally between the two Boards, and should be applicable according to the Scheme throughout both districts.

4. That more explicit provision should be made for preserving such rights as the assistant masters may have until retirement.

The Judicial Commissioners prepared an Amended Scheme, in accordance with the foregoing Declaration, and submitted it to the Lord Lieutenant on December 6, 1889. Objections were lodged with the Clerk of the Privy Council against this Scheme also, and we were requested by the Lord Lieutenant to submit our observations upon them. These objections, of which the more important were directed to obtain a restoration of certain provisions of the original Scheme, will be found, with our observations, *infra*, page 76. This Amended Scheme was afterwards considered by the Privy Council, and was remitted to us by the Lord Lieutenant on May 19, 1890, with the following Declaration:—

1. That the Scheme be altered so as to provide, as in the original Scheme, for mixed Boards in the Armagh and Tyrone Districts, constituted as in the Original Scheme.
2. That the Armagh Endowment and the Tyrone Endowment, respectively, be divided between the Protestant and Roman Catholic Boards of those districts, in equal shares, as in the case of the other districts under the Amended Scheme.
3. That the Scheme be altered and restored to its original provisions as to the private benefactions included in the Endowments.
4. That the Scheme be altered so as to enable the Fermanagh Protestant Local Board, in providing the sum of £3,500, required to be paid under Clause 66 of the Scheme, to secure a portion thereof, not exceeding £2,500, by charge upon the Portora Royal School premises, if the balance shall have been raised by voluntary contributions, in accordance with Clause 66 of the Amended Scheme, and to empower the Commissioner of Education to take all necessary steps to carry out this arrangement.

Immediately after the Amended Scheme was remitted, we were called upon by the Lords Commissioners of Her Majesty's Treasury to omit a provision to which no objection had been previously made, which would have enabled the Commissioners of Education, with the consent of the Treasury, to grant superannuation allowances to their officers when disabled. We endeavoured to press upon the Treasury the justice and expediency of retaining this provision, and we held a public sitting on August 2, 1890, at which the matter was fully discussed. The Treasury insisted upon their objection, and the Judicial Commissioners being of opinion that they had not jurisdiction to enforce the retention of the clause, it was omitted.

A further Amended Scheme was then framed in accordance with the second Declaration of the Lord Lieutenant, and was signed by the Judicial Commissioners on August 14, 1890. Objections, chiefly seeking to reopen the last decision of the Privy Council, were again presented, which, with our observations upon them, will be found *infra*, p. 82. This further Amended Scheme was considered by the Privy Council, and was remitted to us by the Lord Lieutenant on November 13, 1890, with the following Declaration:—

1. That Clause 7 be so modified as to provide that every Secretary and other Officer appointed after the passing of the Act, shall be subject to removal for misconduct, or inefficiency, or, in case the Commissioners shall deem the continuance of the office unnecessary, upon due notice being given in the last mentioned case, or upon payment of a reasonable sum, not exceeding six months salary, in lieu of notice.
2. That the Scheme should provide that the Head Master of the Armagh Royal School, or of such School as may be substituted therefor under the Scheme, shall at all times be a member of the "Church of Ireland," and that the Head Master of the Dungannon Royal School, or of such School as may be substituted therefor under the Scheme, shall at all times be a member of the Presbyterian Church.
3. That all necessary and consequential alterations be made in the Scheme.

The Judicial Commissioners are now engaged in revising the Scheme, in accordance with this last Declaration, and we expect that it will be completed, signed, and submitted to the Lord Lieutenant, within a very few days.

We have framed separate Draft Schemes for the government and management of the Endowments of the Carysfort and Banagher Royal Schools. These Schemes are awaiting our consideration upon objections and proposed amendments; we do not apprehend any great difficulty in dealing satisfactorily with these Endowments.

Endowments founded by Erasmus Smith.

Having taken evidence concerning the Endowments founded by Erasmus Smith, in Dublin and in the several localities in which the estates and Schools are situated, we proceeded in October, 1889, to consider the principles upon which a Draft Scheme should be prepared. Upon the evidence, and having regard to the claims which had been laid before us, both the Judicial Commissioners were of opinion—subject to the result of any further discussion which might take place on the public hearing of objections to the Draft Scheme when published—that the Endowments in question were of private origin; that it was the intention of the founder that the Schools and their government should be Protestant in their character; and that the Draft Scheme should be settled on this basis. The Rev. Dr. Molloy, one of the Assistant Commissioners, thought that the Endowments should not be treated by the Commission as available exclusively for the benefit of Protestants, but as intended primarily for the education of the children of the tenants upon the estates of Erasmus Smith.

Another vital question was also raised in connection with these Endowments, viz.:—whether the Governing Body was to consist exclusively of members of "The Church of Ireland"—and it appeared certain that this question would give rise to discussion, and to objections which should be heard and determined by the Judicial Commissioners.

Under these circumstances Lord Justice Naish considered that he ought not to proceed further with the settlement of the Draft Scheme, as he would not be able to take part in the determination of any matter of objection, nor in the final settlement

Treasury
Minutes &c.,
p. 82.

Carysfort and
Banagher.

Rep. 1888-89,
pp. 1, 30, 100,
240, 431.
Rep. 1890-91,
pp. 217, 229,
256.
Rep. 1897-98,
pp. 64, 72, 120,
181.
Rep. 1898-99,
p. 29.
Minutes &c.,
pp. 231 & 24.

of the Scheme. The consideration of the Draft Scheme was, therefore, adjourned, and the necessity for the full consideration by Mr. Justice O'Brien of the voluminous documents and evidence relating to these Endowments, with the pressure of our other business, has hitherto prevented us from resuming the consideration of the matter.

The Incorporated Society for Promoting English Protestant Schools in Ireland.

Rep. 1886-6,
pp. 7, 82, 311,
429.
Rep. 1886-7,
p. 315.
Rep. 1887-8,
pp. 133, 328,
336, 319.
Rep. 1888-9,
p. 9.

Having fully investigated at public sittings, the history and particulars of the Endowments now administered by the Incorporated Society, having heard the claims put forward respecting them, and having visited the Schools, we found that, possibly with one small exception, all the existing Endowments are of private foundation, and that the Society has not for many years been possessed of any property of public origin. We also satisfied ourselves—subject to the result of any further evidence or discussion upon the Draft Scheme—that, according to the spirit of the founders' intentions, these Endowments were intended for the benefit either of those who were members of the Established Church, or of those who might be willing to conform to that Church. We therefore considered that these Endowments should now be placed under the management of a Governing Body exclusively consisting of members of "The Church of Ireland."

The amount and importance of the Endowments seem to call for the constitution of a large and representative body for their administration.

The Endowments are very numerous, and are held upon very various trusts, many of which were originally intended to benefit particular localities, and to promote special classes of education, or special objects. Many of these trusts require modification, and some of them which have been neglected may require to be enforced.

The preparation of the Draft Scheme is a complicated and difficult task, which has been considerably advanced, but it seemed desirable that, before its publication, we should have some experience of the working of those Diocesan Schemes which have been framed, upon similar principles, at the request of the authorities of the Church, for almost all the Dioceses of Ireland. Several of these Schemes are now in operation, and we hope soon to complete the Draft Scheme for the Incorporated Society.

The Limerick Endowments.

On August 4, 1890, we published three Draft Schemes, relating to (a) The Endowments of public origin formerly connected with the Limerick Model Farm, now vested in Trustees constituted by Statute, and used for the purposes of Mungret College, Limerick, an institution maintained by the Jesuit Order, who hold the lands and buildings of the Model Farm under a lease executed by the Trustees, and sanctioned by the Lord Lieutenant; (b) The public interest in the buildings formerly belonging to the Limerick Diocesan School, now vested in The Commissioners of Education, and held by the Rev. Canon Gregg as tenant to the Commissioners, and used for the purposes of an Orphanage for poor Protestant girls; (c) The Endowment founded in 1814 by William Leamy, for the education of the poor, now attached to Leamy's Free School, Limerick.

The cases of these three Endowments have raised questions of difficulty, conflicting claims have been put forward with respect to them, and several objections to each of the Draft Schemes have been presented to us. These objections will be found *infra*, p. 86.

We have held public inquiries at Limerick for the consideration of these cases, and we are now engaged in the revision of the Schemes.

The case of Leamy's Endowment has brought pointedly under our notice the difficulty of dealing to the best advantage with the Endowments under our jurisdiction, where we cannot at the same time provide, upon a comprehensive plan, for utilizing the other means of education existing in the same locality. The buildings of Leamy's Free School were erected to accommodate about four hundred pupils. The attendance is about one hundred. The Limerick Model School, in the same immediate neighbourhood, was erected, at the public cost, to accommodate about five hundred and fifty pupils, and it is provided by the State with a teaching staff, and with all the necessary appliances for education. It is attended by about two hundred pupils, described to us as "all middle-class Protestants."

Meantime, the Roman Catholic poor of Limerick are without sufficient School accommodation.

The pupils in Leamy's School and the Model School belong to the same class, and the education given is the same, except that some of the pupils in Leamy's School receive Intermediate teaching. All the wants of the Protestants of Limerick could be as well if not better supplied in one School, leaving the other available for the Roman

Catholics, if we had power to frame a Scheme dealing with both Schools. The same state of affairs exists elsewhere. We have found several Model Schools in the North of Ireland fully occupied and most usefully employed in the education of Protestant pupils, who have no other sufficient School accommodation in the locality. But we have found many other Model Schools only partially occupied by Protestant pupils, who had been drawn away from neighbouring Endowed Schools which, as in Limerick, were left empty or nearly so. For example, in Clonmel, Enniskillen, and Kilkenny, capacious Model Schools were attended by comparatively small numbers of Protestant pupils, who might have obtained the same class of education in neighbouring Endowed Schools, which were injured by their withdrawal.

Each Model School was dealt with separately, according to its own circumstances, and were placed under the management of a local body, having the confidence of the members of whatever religious denomination stood most in need of school accommodation, and if the neighbouring Endowed Schools were at the same time enabled to provide similar education, at the same cost, for pupils of the denominations to which the private Endowments belong, the present waste of public funds upon the partially occupied Model Schools would be saved, those Schools would be fully utilised, and the efficiency of the Endowed Schools would be secured to an extent which cannot be attained by any redistribution or division of the private Endowments alone.

The Munster Agricultural and Dairy School.

We referred in our Report of last year to the Draft Scheme published for the Munster Agricultural and Dairy School, in the County of Cork. This Scheme had been undertaken at the request of a Local Committee, which, when the Munster Model Farm, as carried on by the Commissioners of National Education, was threatened with extinction, in 1880, came forward to save it, and collected funds for the establishment on the premises of a Model Dairy School. The Commissioners of National Education, with the consent of Her Majesty's Treasury, continued to maintain the institution, and remained responsible for the expenditure of public money upon it; while the Local Committee took part in the management, and administered the funds which they themselves collected. The Dairy School which they founded and conducted has proved eminently successful: it has turned out each year a large number of trained Dairy maids; and we have received evidence that its beneficial influence has been already largely felt in Munster, and even in other parts of Ireland. In consequence of this success, and with a view to the further development of the School, a grant of £2,000 was made in the year 1887 to the Local Committee, by the Commissioners of Her Majesty's Treasury. This grant has been invested in Government Stock, and remains as yet unapplied.

Rep. 1886-9.
pp. xx., 508.

After the publication of our Draft Scheme, the Local Committee sought further aid from the Government for the purposes of the institution, and having failed to obtain it, they have declared themselves unwilling to undertake the responsibility which they believe would be thrown upon them by accepting the Scheme.

Objection has also been made to the Scheme by some influential and representative persons—Members of Parliament and others—resident in the City and County of Cork. These gentlemen have expressed a desire that the Governing Body of the School should be placed on a wider and more popular basis than was proposed in our Scheme. At a public inquiry which we held at Cork, on October 20, 1890, the several parties interested appeared before us; we were informed that a new Agricultural Association had been formed, which is largely supported by the farming classes; and it was contended that this Association should be represented on the Governing Body of the School.

Under these circumstances we decided not to proceed further with the Scheme until an opportunity should be afforded to the Local Committee which founded the School, and the new Agricultural Association to confer together, and to come to some agreement on the constitution of the Governing Body. We are satisfied that without the co-operation of both these parties, it would be impossible to gain those advantages for agricultural education which we had hoped to promote by this Scheme.

Inspection of Schools.

In accordance with Section 17 of the Act, we have introduced provisions in all our Schemes for the inspection of Schools sharing in the Endowments, by an Inspector to be appointed by the Lord Lieutenant. When such Schools are already in connection with the Commissioners of National Education, we have provided that the Inspector appointed by them shall be deemed to be the Inspector under the Act, until the Lord

Lieutenant shall himself appoint an Inspector. But by far the greater part of the Endowments with which we have dealt belong to Schools that are not in connection with the Commissioners of National Education; and with respect to these Endowments, the appointment of an Inspector as contemplated by the Act, at an early date, seems to us of great importance for the permanent and effective working of our Schemes.

As to the character of the inspection required by the Act, and the means by which its cost may be made least burdensome to the Endowments, we beg to refer to the observations offered on the subject in our Report of last year.

Duration of Powers of the Commission.

The powers of the Commission, as at present extended by Parliament, will expire on March 31, 1892. It is, therefore, desirable that any persons who may wish to take advantage of these powers, with respect to Endowments over which they have control, should make timely application to us, in order that Schemes may be drafted, and, as far as possible, brought into operation, before the above-mentioned date.

Consent Schemes.

We have received many applications for Schemes dealing with Endowments which are exempt from the compulsory jurisdiction of the Commission, either as being exclusively denominational, or as coming within some of the other exceptions mentioned in Section 7 of our Act. In several instances we have been able to relieve the Governing Bodies of such Endowments from the necessity of taking costly proceedings in Chancery; and the advantages of a permanent government, a secured title, and a comprehensive administration, have been provided for property held upon educational trusts, including numbers of small and isolated Schools and Endowments. "The General Synod of the Church of Ireland," the Archbishops and Bishops of that Church, and the authorities of almost all its Dioceses, have requested us to frame Schemes for the future administration of Endowments belonging to them, including Endowments for the education of the sons and daughters of the Clergy. In the City of Cork, the united Dioceses of Cork, Cloyne and Ross, and the Diocese of Meath, Schemes are already in operation providing for the systematic management of Primary Schools, and for the establishment, with the aid of existing private Endowments, of central Schools to which pupils selected from the Primary Schools may be advanced. Many Presbyteries in connection with the General Assembly, and several other Religious Bodies, have applied for similar Schemes. We have also been called upon to deal, by consent, with some Roman Catholic Endowments of which the trusts or the title were found unsatisfactory, but we have not yet received any application from the members of that denomination for the settlement of Diocesan Schemes.

Power of Amendment.

We are glad to be able to report that although our Act, Section 28, provides for the amendment of any Schemes approved under the Act, we have not, as yet, received a single application for an Amending Scheme, nor any complaint of the working of any of the sixty-six completed Schemes, of which several have been in operation for more than three years.

All which we have the honour to submit for Your Excellency's consideration as our Report in the premises.

Witness our hands this Fifteenth day of November, 1890.

GERALD FITZGIBBON,
WILLIAM O'BRIEN,
GERALD MOLLOY,
ANTHONY TRAILL,
JAMES B. DOUGHERTY,

} Commissioners.

WM. EDWARD KILIS, *Secretary.*

Office of the Commission,
23, Nassau Street, Dublin.

TABLES ANNEXED TO THE FOREGOING REPORT.

TABLE I.—DRAFT SCHEMES already published, and stages through which each Scheme has passed.

Number of Schemes.	Endowment.			Draft Scheme first published.	Scheme revised by Judicial Commissioners.	Scheme first published by the Lord Lieutenant in Council.	Scheme previously approved by Lord Lieutenant in Council.	Scheme finally approved by Lord Lieutenant in Council.
	County.	Locality.	Name.					
1	Dublin.	Swans.	Swans Borough Schools.	1880. June 15.	1881. Sept. 18.	1882. Oct. 6.	1881. Revised, March 11.	—
"	"	"	Swans Borough Schools (Amended Scheme).	—	May 21.	May 27.	Aug. 18.	Oct. 17.
2	"	Dublin.	Church of Ireland Training College and Ethnographic Society.	June 14.	Sept. 16.	Oct. 6.	April 4.	June 11.
3	"	Corkinurech.	Morgan's and Mizen's Schools.	June 20.	Sept. 20.	Oct. 8.	1881. Revised, Jan. 2.	—
"	"	"	Morgan's School (New Draft Scheme).	April 20.	Sept. 26.	Oct. 5.	—	—
4	"	Dublin.	Methodist Female Orphan School.	1880. 1881. Aug. 21.	1881. 1882. Nov. 14.	1880. 1881. Feb. 21.	1880. 1881. March 4.	June 21.
5	"	Salway and Coole.	Salway and Coole Parish Schools.	Aug. 21.	Dec. 18.	Dec. 22.	May 6.	Aug. 16.
6	"	Dublin.	Quaker (now Presbyterian) Church Endowment (General Scheme).	Dec. 18.	May 14.	May 18.	July 20.	Oct. 7.
7	Lancashire.	Belfast.	Blackburn Street Schools.	Dec. 18.	May 14.	May 18.	August 10.	Oct. 13.
8	"	"	Water Society for the Education of the Deaf and Dumb, and the Blind.	Dec. 18.	May 14.	May 18.	Revised, Oct. 7.	—
"	"	"	Water Society (Amended Scheme).	—	Feb. 8.	Feb. 11.	Revised, May 20.	—
"	"	"	Water Society (Further Amended Scheme).	—	July 22.	July 26.	Oct. 18.	Dec. 28.
9	Dublin.	Dublin.	St. Patrick's Cathedral Schools (General Scheme).	Dec. 18.	May 14.	May 18.	July 20.	Oct. 7.
10	"	"	Alexandra College and Alexandra School.	Dec. 18.	May 14.	May 18.	July 20.	Oct. 7.
11	Antrim.	Belfast.	Carrig School.	1881. June 20.	1882. Oct. 20.	1883. Nov. 2.	1883. Mar. 3.	May 20.
12	Dublin.	Dublin.	St. Stephen's Marine Society.	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.
13	Armagh.	Lurgan.	Walter's Reformed School.	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.
14	Dublin.	Clonsilla.	National Association for Promoting the Education of the Deaf and Dumb.	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.
15	Lancashire.	Belfast.	Royal Belfast Academical Institution.	June 20.	Feb. 8.	Feb. 11.	Revised, May 20.	—
"	"	"	Royal Belfast Academical Institution (Amended Scheme).	—	July 27.	July 28.	Oct. 13.	Dec. 28.
16	"	"	Methodist College (General Scheme).	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.
17	Down.	Elford.	Elford School, Elford School, and Elford School.	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.
18	Dublin.	Dublin.	Marshall's Tailors' School.	June 20.	Feb. 8.	Feb. 11.	April 18.	July 4.
19	Monaghan.	Monaghan.	Collingdale School.	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.
20	Lancashire.	Coleville.	Academical Institution.	June 20.	Oct. 20.	Nov. 2.	Mar. 3.	May 18.

TABLE I.—DRAFT SCHEMES already published and stages through which each Scheme has passed—continued.

Number of Schemes.	Endowment.			Draft Scheme first published.	Scheme agreed by Judicial Commissioners.	Scheme published by the Lord Lieutenant in Council.	Scheme provisionally approved by Lord Lieutenant in Council.	Scheme finally approved by Lord Lieutenant in Council.
	County.	Locality.	Name.					
20	Austria.	Lisburn.	Nicholson Endowment (General Scheme).	1887. June 20.	1888. Feb. 8.	1888. Feb. 11.	1888. Resoluted, Aug. 4.	—
			Nicholson Endowment (Amended Scheme).	—	Aug. 8.	Aug. 14.	Feb. 4.	April 24.
21	"	Belfast.	Ladies' Industrial School.	June 25.	Feb. 8.	Feb. 13.	April 15.	July 4.
22	Londonberry.	Londonberry.	Mages Presbyterians College (General Scheme).	June 25.	Feb. 8.	Feb. 11.	April 15.	July 4.
23	"	"	Gwyn's Charitable Institution and Young Endowment.	June 25.	Jan. 14.	Jan. 19.	May 29.	Aug. 9.
24	"	"	Cogges School.	June 25.	Oct. 25.	Jan. 2.	Mar. 9.	May 14.
25	Dublin.	Dublin.	Devin Working Boys' Home and Working Endowment.	Aug. 2.	Feb. 8.	Feb. 11.	April 15.	July 4.
26			Reynold Female Orphan School.	Aug. 2.	Aug. 15.	Aug. 14.	Resoluted, Dec. 31.	—
27	"	"	Reynold Female Orphan School (Amended Scheme).	—	Jan. 13.	Jan. 18.	April 15.	June 24.
28	Austria.	Belfast.	Belfast Royal Academy.	Aug. 2.	Feb. 8.	Feb. 11.	Resoluted, May 20.	—
			Belfast Royal Academy (Amended Scheme).	—	July 20.	July 24.	Oct. 14.	Dec. 24.
29	Dublin.	Dublin.	Philoborough Sunday and Daily Schools.	Aug. 2.	Dec. 21.	Jan. 14.	Resoluted, Aug. 4.	—
			Philoborough Sunday and Daily Schools (Amended Scheme).	—	Aug. 15.	Aug. 15.	Resoluted, Nov. 13.	—
			Philoborough Sunday and Daily Schools (Further Amended Scheme).	—	—	—	—	—
30	Corry.	Tullyvin and Buncrana.	Tullyvin and Buncrana Schools.	Aug. 2.	Feb. 8.	Feb. 11.	April 15.	July 4.
31	Fermanagh.	Lisnakea.	Moat School.	Aug. 2.	Feb. 8.	Feb. 11.	April 15.	July 4.
32	Dublin.	Dublin.	St. Peter's School and Mrs. Wang's School (General Scheme).	Aug. 2.	Feb. 8.	Feb. 11.	April 15.	July 4.
33	Londonberry.	Coleraine.	Larne Hill School.	Aug. 2.	Feb. 8.	Feb. 11.	April 15.	July 4.
34	Armagh.	Armagh.	Royal School.	1888.	1888.	1888.	1888.	1888.
	Tyrone.	Burgess.	Royal School.	—	—	—	—	—
	Fermanagh.	Enniskillen.	Royal School.	April 23.	June 25.	July 4.	Resoluted, Nov. 4.	—
	Corry.	Corry.	Royal School.	—	—	—	—	—
	Down.	Down.	Royal School.	—	—	—	—	—
35	Down.	Down.	Royal School, Second Scheme (Amended).	—	Dec. 8.	Dec. 14.	Resoluted, May 15.	—
36	Down.	Down.	Royal School, Third Scheme (Amended).	—	Aug. 14.	Aug. 15.	Resoluted, Dec. 12.	—
37	Down.	Down.	Royal School, Fourth Scheme (Amended).	—	—	—	—	—
38	Down.	Down.	The Robertson Endowment.	June 4.	April 24.	May 1.	Aug. 15.	Oct. 15.
39	Armagh.	Larne.	Queen-street National School.	June 4.	April 24.	May 1.	July 27.	Oct. 15.
40	Down.	Down.	High School for Girls.	June 4.	June 2.	June 8.	Aug. 15.	Oct. 15.
41	"	Belfast.	The Belfast Fishery School (General Scheme).	June 4.	April 24.	May 1.	Aug. 15.	Oct. 15.
42	Londonberry.	Londonberry.	The Royal Irish Academy of Music and the Coleraine Endowment.	June 4.	April 24.	May 1.	July 27.	Oct. 15.
			Londonberry Academic Institution.	June 4.	April 24.	May 1.	Resoluted, Aug. 20.	—
43	"	"	Londonberry Academic Institution (Amended Scheme).	—	Aug. 12.	Aug. 14.	Oct. 22.	Jan. 24.

TABLE I.—DRAFT SCHEMES already published, and stages through which each Scheme has passed—continued.

Number of Scheme.	Endowment.			Draft Scheme first published.	Scheme signed by Judicial Commissioners.	Scheme first published by the Lord Lieutenant in Council.	Scheme first signed by Lord Lieutenant in Council.	Scheme finally approved by Lord Lieutenant in Council.
	County.	Township.	Name.					
68	Downman.	Ripha.	Bishop Holman's Grammar School.	June 26.	Dec. 6.	Dec. 12.	Mar. 1.	May 16.
69	Downman.	Belmar.	The Orphan Society of the Association of Irish Non-Subscribing Presbyterians and other Free Christians (General Scheme).	June 26.	Dec. 6.	Dec. 12.	Mar. 1.	May 16.
70	Downman.	Strathmore.	The Strathmore Academy.	June 26.	—	—	—	—
71	Downman.	—	The Sabbath School Society for Ireland in connection with the Presbyterian Church (General Scheme).	June 26.	Dec. 6.	Dec. 12.	Mar. 1.	May 16.
72	Downman.	Droghda.	The Parochial Schools of the Diocese of Droghda (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
73	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
74	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
75	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
76	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
77	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
78	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
79	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
80	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
81	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
82	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
83	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
84	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
85	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
86	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
87	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
88	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
89	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
90	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
91	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
92	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
93	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
94	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
95	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
96	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
97	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
98	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
99	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.
100	Downman.	Downpatrick.	The Downpatrick Charity and the Parochial Schools (General Scheme).	Aug. 16.	Dec. 12.	Dec. 12.	Mar. 1.	May 16.

TABLE II.—ENDOWMENTS of the several Institutions for which Draft Schemes have been published, with the estimated income of those Institutions from fees, subscriptions, and other sources.

No. of Scheme.	Endowment			Valuation of School Buildings and Furniture.	Annual Income of Endowment.		Estimated Annual Income from Fees, Subscriptions, and other Sources.	Total Annual Amount to be administered under Scheme.
	County.	Locality.	Name.		From House and Land.	From Trust Funds.		
1	Dublin.	Swords.	Swords Old Borough Schools.	£ 4. 0. 0	—	—	—	£ 4. 0. 0
			Swords New Borough Schools.	18 0 0	—	271 0 0	177 11 6	3,048 7 4
2	"	Dublin.	Church of Ireland Training College.	178 0 0	—	75 10 0	5,000 0 0	6,747 10 0
3	"	Castlemock.	Margate's School.	22 0 0	100 0 0	0 1 0	—	704 0 0
			Margate's School (School of Arts).	—	—	—	—	—
4	"	Dublin.	Methodist Female Orphan School.	25 0 0	—	311 10 0	130 10 0	760 0 0
5	"	Bahony.	Bahony Parochial School.	10 0 0	—	—	—	—
6	"	Castlemock.	Castlemock Parochial School.	10 0 0	—	0 0 0	—	0 0 0
7	"	Dublin.	Ormond-street Presbyterian Church.	25 0 0	270 4 0	124 2 0	80 10 4	455 0 0
8	Aston.	Bolton.	St. George's Church.	20 0 0	100 0 0	—	245 0 0	365 0 0
9	"	"	Union Society for the Education of the Deaf and Dumb, and the Blind.	60 0 0	—	1,830 0 0	5,373 10 1	6,963 10 1
			St. Patrick's Cathedral (Charitable School).	20 0 0	—	—	700 0 0	—
10	Dublin.	Dublin.	St. Patrick's Decemary Schools.	15 0 0	—	—	—	—
			St. Patrick's Decemary School.	20 0 0	70 0 0	—	—	—
			St. Mary's Endowment.	—	50 0 0	—	—	—
11	"	"	Alexander College.	200 0 0	100 0 0	—	1,400 14 10	1,700 14 10
			Alexander School.	—	—	—	800 0 0	800 0 0
12	Aston.	Bolton.	Curry School.	20 0 0	10 0 0	31 10 0	301 2 2	352 2 2
13	Dublin.	Dublin.	Edmund's Marine Society.	100 0 0	600 17 11	600 10 0	60 10 0	1,861 0 11
14	Aston.	Lancashire.	Watts's Endowed School.	80 0 0	—	200 0 0	200 0 0	280 0 0
15	Dublin.	Clonsilla.	National Association for the Education of the Deaf and Dumb.	100 0 0	100 0 0	800 0 0	800 0 0	1,000 0 0
16	Aston.	Bolton.	Royal Bolton Asylum for the Deaf and Dumb.	200 0 0	200 0 0	200 10 0	700 10 0	1,100 10 0
17	"	"	Methodist College.	100 0 0	700 10 0	700 0 0	5,000 10 0	7,400 10 0
18	Dublin.	Dublin.	St. Peter's School.	21 0 0	—	470 10 10	130 10 0	610 10 10
19	Dublin.	Dublin.	Harriet's School.	17 0 0	10 0 0	40 0 0	0 0 0	67 0 0
			Blackrock School.	0 30 0	—	27 30 0	0 14 0	27 44 0
20	Dublin.	Dublin.	Merchant Tailors' School.	70 0 0	300 0 0	10 0 0	—	380 0 0
21	Monaghan.	Monaghan.	Collins School.	0 0 0	—	—	300 0 0	300 0 0
22	Londonderry.	Londonderry.	Academy Institution.	100 0 0	—	80 0 0	1,200 0 0	1,380 0 0
23	Aston.	Lancashire.	Michael's Endowment.	11 0 0	—	0 0 0	—	11 0 0
24	"	Bolton.	Lancashire Industrial School.	120 0 0	70 0 0	30 0 0	200 0 0	420 0 0
25	Londonderry.	Londonderry.	Mayo College.	200 0 0	—	1,600 0 0	600 0 0	2,400 0 0
26	"	"	Gwyn's Charitable Institution.	200 0 0	40 10 0	1,000 10 1	—	1,240 10 1
			Young Endowment.	—	—	200 0 0	—	200 0 0
27	"	"	Croghan School.	20 10 0	—	—	—	20 10 0
28	Dublin.	Dublin.	Dublin Working Boys' Home.	20 0 0	—	—	870 0 0	890 0 0
			Harding Endowment.	—	—	1,110 0 0	—	1,110 0 0
29	"	"	Methodist Female Orphan School.	0 0 0	10 0 0	10 0 0	—	20 0 0
30	Aston.	Bolton.	Bolton Academy.	200 0 0	70 0 0	—	1,000 0 0	1,270 0 0
31	Dublin.	Dublin.	Philosophical Society and Daily School.	10 0 0	0 0 0	100 10 0	0 0 0	110 10 0
32	Gloucester.	Tullis.	Tullis and Deane's School.	10 10 0	—	310 10 0	—	320 10 0
33	Worcestershire.	Cheltenham.	West School.	10 0 0	0 0 0	—	40 0 0	50 0 0
			Carroll's Endowment.	4,000 10 0	4,000 10 0	20,000 0 0	20,000 10 1	44,000 10 1

* Endowment of School. Fees which do not come into the hands of the Governing Body, but are paid directly to the Masters.

† Includes of McArthur Endowment of £10,000 for Endowment Hall.

‡ Includes of endowment of Endowment Hall not yet taken into possession.

§ £100 a year will be available when a life aged 30 drops, and a further sum of £20 a year when a life aged 30 drops.

TABLE II.—ENDOWMENTS of the several Institutions for which Draft Schemes have been published with the estimated income of these Institutions from fees, subscriptions, and other sources—continued.

No. of Inst.	Endowment.			Valuation of School Buildings and Premises.	Annual Income of Endowment.		Estimated Annual Income from Fees, Subscriptions and other Sources.	Total Annual Amount to be administered under Scheme.
	County.	Locality.	Name.		Fees, House and Lands.	From Trust Funds.		
			Brought forward.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
			St. Peter's Schools.	4,061 10 7	4,031 16 1	30 00 0	21,539 14 1	16,569 17 0
23	Dublin.	Dublin.	Mrs. Wray's School.	—	—	540 0 0	540 0 0	603 15 0
24	Londonberry.	Colmahine.	Leavel RSB School.	3 0 0	30 0 0	—	—	33 0 0
	Armagh.	Armagh.	Royal School.	290 0 0	1,174 1 0	50 15 0	—	—
	Tyrone.	Dungannon.	Royal School.	273 0 0	1,753 0 1	7 0 0	—	—
24	Fermanagh.	Enniskillen.	Royal School.	282 0 0	3,272 12 5	37 0 0	—	3,592 14 1
	Carra.	Carra.	Royal School.	60 00 0	542 11 0	110 24 4	—	—
	Down.	Enniscorthy.	Royal School.	70 0 0	170 16 0	—	—	—
26	Down.	—	The Education Endowments.	75 0 0	—	602 0 0	—	677 0 0
26	Armagh.	Lurgan.	Queen-street National School.	40 0 0	—	—	40 0 0	40 0 0
27	Cork.	Cork.	High School for Girls.	18 0 0	—	—	1,720 0 0	1,738 0 0
28	—	Baltimore.	The Baltimore Primary School.	40 0 0	—	—	1,887 0 0	1,927 0 0
28	Dublin.	Dublin.	The Royal Irish Academy of Music.	360 0 0	20 0 0	946 7 11	2,270 10 0	3,196 18 0
			The Customs Endowment.	—	—	475 10 0	—	—
29	Londonberry.	Londonberry.	Londonberry Acad. Institution.	321 0 0	—	—	21,214 0 0	1,945 0 0
30	—	White of Ireland.	The Church of Ireland Victoria Jubilee Park.	—	—	208 17 0	—	208 17 0
31	Limerick.	Limerick.	Villiers' Charitable Institution.	271 0 0	293 10 1	771 0 0	—	1,920 7 0
32	Andria.	Ballymore.	Gay's Free School.	10 0 0	—	64 0 0	—	74 0 0
33	—	—	Ballymore Collegiate School.	10 0 0	—	—	10 0 0	10 0 0
34	Tipperary.	Cummeel.	Cummeel Endowed School.	60 0 0	469 17 5	—	—	529 17 5
35	Kilfenney.	Kilfenney.	Kilfenney College.	60 0 0	120 4 7	—	—	180 4 7
			St. Peter's Parochial Schools.	60 0 0	0 4 2	—	—	—
			St. Luke's Parochial Schools.	—	—	—	310 0 0	—
			St. Mary's Parochial Schools.	60 0 0	—	60 0 0	14 0 0	—
			St. Nicholas' Parochial and Industrial Schools.	60 0 0	—	175 11 0	1,601 12 10	—
37	Cork.	Cork.	St. Peter's Parochial Schools.	90 10 0	80 10 0	100 24 0	—	2,980 10 0
			Christ Church Parochial Schools.	10 0 0	12 0 0	0 0 0	87 10 0	—
			Green Coat Hospital.	7 10 0 0	120 0 0	1 10 0	—	—
			Grammar School.	60 0 0	—	—	600 0 0	—
			Westminster's Charity.	120 10 0	145 0 0	77 10 0	—	—
38	Londonberry.	Baginbun.	Edwin's School.	7 10 0 0	141 10 0	—	30 0 0	219 10 0
39	Kilfenney.	Thomastown.	Parochial School.	4 10 0	—	0 0 0	60 0 0	64 10 0
			The Dedmore School.	50 0 0	211 12 4	—	—	—
40	Armagh.	Armagh.	The Mall School.	30 0 0	51 7 0	—	15 0 0	—
			The Oulann-street School.	0 0 0	—	—	—	—
			Primate Robinson's Loan Fund.	—	—	18 0 0	—	—
41	Down.	Colmahine.	The Down School.	10 0 0	—	462 0 0	462 0 0	1,068 0 0
42	Cork.	Cork.	The Forthall Seminary.	100 0 0	—	86 12 4	1,000 4 0	1,086 16 4
			Carried forward.	6,511 4 7	22,470 10 0	13,889 4 7	81,615 1 10	75,656 10 0

* The School Fees do not come into the hands of the Governing Body, but are paid directly to the masters.

† The fees are paid directly to the masters, with the exception of the fees for Modern Languages, which are received by the Secretary, who pays them a year to the Modern Languages Master.

‡ Rev. Mr. King, the present master, holds this academy as Diocesan Schoolmaster under Irish Church Act, 1869.

§ These schools are being rebuilt.

¶ Estimated, the school house and appurtenant is valuation books.

TABLE II.—ENDOWMENTS of the several Institutions for which Draft Schemes have been published with the estimated Income of these Institutions from fees, subscriptions, and other sources, —continued.

No. of Scheme.	Endowment.			Valuation of School Buildings and Fittings.	Annual Income of Endowment.		Estimated Annual Income from Fees, Subscriptions, and other sources.	Total Annual Amount to be administered under Scheme.
	County.	Locality.	Name.		From Rents and Lands.	From Trust Funds.		
			Carried forward.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
10	Waterford.	Waterford.	Stephen-street School.	35 0 0	—	—	—	35 0 0
14	Limerick.	Limerick.	Rodsworth Road School.	—	—	—	330 0 0	330 0 0
15		District of North.	The Parochial Schools of the Diocese of North.	370 0 0	44 14 3	120 18 8	3,860 0 0	3,919 4 7
16			The Foston School, Norw.	150 0 0	406 12 7	111 3 0	—	—
16	North.	Oldcastle.	The Gilson Schools.	11 0 0	—	743 1 0	406 17 0	1,473 1 0
17	Kildare.	Clong.	Hewitson's School.	151 0 0	304 12 3	14 3 0	53 0 0	420 7 10
18			The Protestant Orphan Society of Ireland.	60 0 0	80 0 0	1,000 0 0	11,350 5 0	12,430 5 0
19	Tipperary.	Cashel.	Ordnance Corporation School Endowments.	44 0 0	180 0 0	—	—	224 0 0
19	"	"	Ordnance Demerit Schools.	10 0 0	27 3 8	10 13 11	0 0 0	47 17 0
21	Lancashire.	Lancashire.	Lancashire Grammar School.	25 10 0	—	68 10 0	91 0 0	104 0 0
22	Cork.		The Maurice Dwyer School and Agricultural Institute.	454 12 0	—	80 0 0	700 0 1	1,234 12 1
23	Down.	Ballymacross.	The Lady School Endowments.	—	—	27 7 10	—	27 7 10
24		Protestant of Dublin.	The Endowments of and belonging to Congregations under the care of the Protestant of Dublin.	30 0 0	—	—	70 0 0	100 0 0
25	Cork.	Cork.	St. Stephen's Hospital.	43 0 0	420 11 10	22 0 0	—	483 11 10
26		District of Cork, Clonmel, and Ross.	The Parochial Schools of the District of Cork, Clonmel, and Ross.	1,010 0 0	40 0 0	110 7 10	3,000 0 0	3,550 7 10
27	Cork.	Ellesdale.	Robert Curwen's School, Clonmel.	10 0 0	210 0 10	14 0 0	73 0 0	397 0 10
28	Wexford.	Blackfriars Bridge.	The Bedford School Endowment.	2 10 0	30 0 0	—	—	32 10 0
29	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
30	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
31	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
32	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
33	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
34	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
35	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
36	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
37	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
38	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
39	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
40	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
41	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
42	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
43	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
44	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
45	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
46	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
47	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
48	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
49	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
50	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
51	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
52	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
53	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
54	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
55	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
56	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
57	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
58	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
59	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
60	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
61	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
62	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
63	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
64	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
65	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
66	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
67	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
68	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
69	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
70	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
71	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
72	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
73	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
74	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
75	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
76	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
77	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
78	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
79	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
80	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
81	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
82	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
83	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
84	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
85	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
86	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
87	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
88	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
89	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
90	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
91	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
92	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
93	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
94	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
95	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
96	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
97	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
98	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
99	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
100	Wexford.	Blackfriars Bridge.	The Black Charity.	5 10 0	40 0 0	—	210 0 0	255 0 0
			Carried forward.	6,710 10 7	31,004 12 0	17,482 14 0	670,004 16 0	734,201 0 1

* The School Fees do not come from the hands of the Governing Body, but are paid directly to the masters.

† This does not include farm produce.

‡ Estimated.

TABLE II.—ENDOWMENTS of the several Institutions for which Draft Schemes have been published, with the estimated income of these Institutions from fees, subscriptions, and other sources—continued.

No. of Schemes.	Endowment.			Valuation of Inland Buildings and Furniture.	Annual Income of Endowment.		Estimated Annual Income from Fees, Subscriptions, and other sources.	Total Annual Amount to be administered under Scheme.
	County.	Locality.	Name.		From Houses and Lands.	From Trust Funds.		
			Brought forward.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
78		Presbytery of Banbridge.	The Endowments of and belonging to Congregations under the care of the Presbytery of Banbridge.	86 0 0	20 00 0	—	40 18 0	140 0 0
79	Down.	The Ash.	Joseph Brown's Endowment.	—	71 20 0	147 16 0	—	218 36 0
80	"	Askeigh.	The Askeigh Endowed School.	11 20 0	—	27 16 0	—	40 0 0
81	Carlow.	Ballinacilly.	O'Donnell's School.	37 0 0	—	65 16 10	—	102 16 10
82	Down.	Beaghahoe.	Stewart Alexander School.	15 0 0	—	15 0 0	50 11 4	80 11 4
			Admiral Lord's Free School.	117 0 0	—	32 8 0	46 1 0	195 8 0
83		Presbytery of Ballymena.	The Endowments of and belonging to Congregations under the care of the Presbytery of Ballymena.	220 0 0	—	—	360 0 0	580 0 0
84		Presbytery of Newry.	The Endowments of and belonging to Congregations under the care of the Presbytery of Newry.	50 18 0	—	—	168 0 0	218 18 0
85	Wicklow.	Corydon.	The Corydon Royal School Endowment.	28 0 0	142 8 0	40 14 10	—	180 22 0
86	Wexford.	—	Arthur Smith's Charity.	—	100 0 0	—	—	100 0 0
87	Kildare.	Ballyn.	Parochial School.	1 12 0	—	0 0 0	—	1 12 0
88		Dioecese of Armagh.	The Parochial Schools of the Dioecese of Armagh.	—	—	—	—	—
89		Dioecese of Down, Connor, and Downpatrick.	The Parochial Schools of the Dioecese of Down, Connor, and Downpatrick.	—	—	—	—	—
90		—	The Dioecesan Schools Endowment.	20 0 0	—	28 16 4	—	48 16 4
91	King's.	Donaghadee.	Donaghadee Royal School Endowment.	—	1140 8 0	30 0 0	—	1170 8 0
92	Fermanagh.	—	The Anna Hall Endowment.	0 10 0	—	120 7 6	—	120 17 6
93	Armagh.	Belmont.	The Belmont Library and Society for promoting Knowledge.	—	—	—	714 4 0	714 4 0
94		Dioecese of Armagh.	The Parochial Schools of the Dioecese of Armagh.	20 16 0	0 0 0	—	270 16 0	290 16 0
95	Limerick.	Limerick.	The Limerick Endowment for Technical Education.	25 0 0	—	100 0 0	—	125 0 0
96	"	"	The Leamy Endowment.	100 0 0	—	868 7 0	125 0 0	993 7 0
97		Dioecese of Clogher.	The Parochial Schools of the Dioecese of Clogher.	—	—	—	—	—
98		Presbytery of Carrickfergus.	The Endowments of and belonging to Congregations under the care of the Presbytery of Carrickfergus.	20 16 0	—	—	381 4 0	401 16 0
99	Antrim.	Belmont.	High Henry Boyd's Endowment.	—	266 7 0	266 0 0	—	532 7 0
			Total.	5,053 10 0	36,150 0 0	16,794 16 0	12,897 8 0	60,095 0 0

* The School Fees do not come into the hands of the Governing Body, but are paid directly to the master.

† Estimated.

‡ Revenues not yet complete.

§ Subject to Treasury Order of 22nd Dec. 1866.

|| Estimated value of Margaret Fennell National School.

TABLE III.—Objections and Amendments received and considered by the Commission during the past year.

Draft Scheme No. 3 (*New*). Morgan's School, Castleknock.

1. The Diocesan Council of the Diocese of Dublin.
2. Rev. Morgan W. Jellott, LL.D., Cathedral of Morgan's School.
3. Rev. R. Sadleir, D.D., Rector of Castleknock, one of the proposed Governors.

Draft Scheme No. 80. The Anahilt Endowed School.

1. The existing Trustees of the School.
2. Major McClintock, Agent to His Grace the Duke of Devonshire.
3. D. O'Seanty, Principal of the School.

Draft Scheme No. 82. The Donaghadee Free Schools.

1. The Commissioners of Charitable Donations and Bequests.
2. David De la Cherois, D.L., Proprietor of the Donaghadee Estate.
3. Rev. Richard H. Coote, D.A., Incumbent of the Parish of Donaghadee.

Draft Scheme No. 85. The Cnysfort Royal School Endowment.

1. The Commissioners of Education in Ireland.
2. The Right Hon. The Earl of Cnysfort.
3. Robert Philpot, Esq., on behalf of a number of persons interested.
4. Rev. William Harper, Methodist Minister at Arklow.

Draft Scheme No. 86. Arthur Smith's Charity.

1. The Most Rev. Dr. Thomas Nulty, D.D., Lord Bishop of Meath.

Draft Scheme No. 89. The Parochial Schools of the Dioceses of Armagh.

Objections to Scheme.

None.

Objections and Amendments to Schedules.

1. Rev. Thomas Aldersey, Incumbent of Killeshill.
2. J. G. Lowry, Esq., D.L.
3. The Clerk of the Drapers Company.
4. Rev. Henry W. Young, M.A., Incumbent of Donaghedy.
5. Colonel Yng Henry Burges, D.L.
6. Joseph Atkinson, Esq., Greville, Joughball.
7. Rev. John W. Johnston, Incumbent of Tormagginke.
8. Major Charles M. Alexander.
9. J. A. M. Cope, Esq.

Draft Scheme No. 89. The Parochial Schools of the Dioceses of Down, Connor, and Downpatrick.

Objections to Scheme.

1. The Church Education Society for the United Dioceses of Down and Connor and Downpatrick.
2. Rev. James Reside, Incumbent of Jordanstown.
3. Rev. George R. Sayce, D.A., Canon of Connor, Incumbent of Ballyderry.

Objections and Amendments to Schedules.

4. Rev. Henry W. Lott, M.A., Incumbent of Aglish.
5. Rev. Morris H. F. Collins, D.A., Incumbent of Antrim.
6. Rev. George Gore Mervyn, M.A., Incumbent of Ballymacarrett.
7. Rev. Thomas M. Benson, Incumbent of Ballymoney.
8. Rev. Robert Cunningham, M.A., Incumbent of Ballyshane.
9. Rev. Henry S. O'Hara, M.A., Chancellor of Connor Cathedral, Incumbent of Coleraine.
10. Rev. George Smith, M.A., Incumbent of Comber.
11. Rev. Samuel M. Moore, M.A., Incumbent of Derryagh.
12. Rev. Charles Watson, M.A., Incumbent of Glenties.
13. Rev. L. A. H. T. Poole, M.A., Minor Canon, Down Cathedral, Incumbent of Hollymount.
14. The Select Vestry of Jordanstown.

15. Rev. Richard Oates, Incumbent of Knockanasholey.
16. Rev. William D. Pounden, M.A., Rector of Liskurn.
17. Rev. J. G. Poole, D.D., Canon of St. Patrick's, Incumbent of Newtownards.
18. Rev. Thomas Cox, M.A., Incumbent of Ramoon.
19. Very Rev. Theophilus Campbell, D.D., Dean of Downee, Incumbent of Shankhill.
20. The Presbytery of Meath.
21. The Presbytery of Beagor in connection with the Remonstrant Synod of Ulster.
22. Rev. Silas Johnston, Presbyterian Minister.
23. The Manager and Members of the Committee of Killinohy School, County Down.
24. Residents in the neighbourhood of Ballydoon, Killinohy, County Down.
25. The Manager of Lisoven National School, and the Rev. Stewart Dickson, Minister of First Saintfield Presbyterian Church.
26. The Manager of Saintfield School, the Rev. Stewart Dickson, and others.

Draft Scheme No. 91. The Anne Hall Endowments.

1. The Agricultural Committee of the Royal Dublin Society.
2. Rev. Thomas Murphy, F.R., Manager of the Lattone School, County Fermanagh.

Draft Scheme No. 92. The Belfast Library and Society for Promoting Knowledge.

1. The Existing Committee of the Library.

Draft Scheme No. 93. The Parochial Schools of the Diocese of Ardlagh.

Objections to Scheme.

None.

Objections and Amendments to Schedules.

1. The Right Hon. William Richard, Baron Harlech, L. & C.B.
2. The Trustees of Dromod School.
3. Rev. F. Hunt, M.A., Archdeacon of Ardlagh, Incumbent of Mohill.
4. Rev. R. T. Beran, M.A., Incumbent of Street.

Draft Scheme No. 94. The Parochial Schools of the Diocese of Clogher.

Objections to Scheme.

None.

Objections and Amendments to Schedules.

1. J. Carmichael-Ferrall, Esq., Augher Castle.
2. Rev. George Tottenham, M.A., Canon of St. Patrick's, Incumbent of Innismacaint.
3. Rev. William E. Fleming, M.A., Incumbent of Kilskeary.
4. Rev. Robert M'Gregor, M.A., Incumbent of Lisbellaw.

Draft Scheme No. 97. The Endowments of and belonging to Congregations under the care of the Presbytery of Carrickfergus.

Objections to Scheme.

None.

Objections and Amendments to Schedule.

1. Rev. John Stewart, D.D., Clerk of the Presbytery.

Draft Scheme No. 98. Hugh Henry Boyd's Endowment, Belfast.

1. The Existing Trustees of the Endowment.

Draft Scheme No. 99: The Diocesan Schools and Banagher Royal School Endowments; No. 94: The Limrick Endowment for Technical Education; and No. 95: The Leamy Endowment.

Scheme No. 99:—

1. The Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.
2. Rev. Canon J. F. Gregg.
3. James Quin, Esq., F.R.

Scheme No. 94:—

1. Rev. Thomas Head, A.B.
2. Rev. Thomas Brewne, F.R.

Scheme No. 95 :—

1. The Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.
2. The Existing Governing Body of Lennox's School.
3. James Quin, Esq., J.P.
4. W. Wilson Mercer, Head Master.
5. Miss Mary Mercer, Head Mistress.
6. Samuel Moore, Assistant Master.

Schemes Nos. 90, 94, and 95 (Joint Objections):—

1. The Diocesan Council of Limerick.
2. The Deacon's Court of the Presbyterian Church, Limerick.
3. The Congregation of Wesley Chapel, George Street.
4. The Congregational Church, Limerick.
5. The Bedford-row Methodist Congregation.

TABLE IV.—Endowments with respect to which inquiries have been held, and the preparation of Schemes is under consideration.

In some of the cases on the following list Draft Schemes are in preparation; in others the expediency of publishing Schemes is under consideration, or further inquiries are in progress.

A. (1). Endowments of private foundation under the control of the Commissioners of Education in Ireland :—

Byrecoot School, Co. Galway.
Mildon School, Co. Cork.
Ballyroan School, Queen's County.

(2). The Endowments under the management of the Incorporated Society for promoting English Protestant Schools in Ireland.

(3). The Endowments of the Schools founded by Erasmus Smith.

(4). The Parochial Schools of "The Church of Ireland" in the following Dioceses :—

Derry.
Elphin.
Tram.
Kilballe and Ashmore.
Dublin.
Glendalough.
Kildare.
Ossory.
Killeshel, East.
Clontarf and Kilmacduagh.
Ardara and Aglish.

(5). The Endowments belonging to Congregations under the care of the following Presbyteries :—

Ahoghill.
Ards.
Armagh.
Athlone.
Belfast.
Coleraine.
Comber.
Coneyghat.
Cork.
Derry.
Down.
Downpatrick.

(5). The Endowments belonging to Congregations under the care of the following Presbyteries :—*continued.*

Letterkenny.
Monaghan.
Rathfriland.
Strabane.
Templepatrick.
Tyrona.

B. Endowments classified according to Provinces and Counties, as follows :—

Provinces of Leinster :—

City of Dublin :—

Gardiner's Charity.
Infant School, Trinity Place.
Love's Charity.
Queen's Institute.
The Ralph Macklin School.
Schools formerly in connection with the Unitarian Congregation, Strand Street.
School formerly known as "Essex Street School."
Lowton Apprenticeship Fund.

County of Dublin :—

Rathmines Township Schools.
The Drummond Institution, Chapelised.
Roger Palmer's Charity for Marriage Portion.
Rush.

County of Kilkenny :—

Subscription School, Kilkenny.

County of Longford :—

Lansdown Endowed School, Newtownforbes.
Clontarf School (West Endowment).
The Charlton Charity for Marriage Portions.

Province of Leinster—continued.

County of Louth—

Blue School, Drogheda.
Endowed School, Ardee.
Endowed School, Dundalk.
Grammar School, Dundalk (Erasmus Smith's).

County of Meath—

The Charities Charity for Marriage Portions.

County of Wexford—

Ballymore Schools, New Ross (Peiger Endowment).
Dunovermick School (Richards Endowment).
Endowed School, New Ross.
Erasmus Smith's School, Wexford.
Hill School, New Ross (Tottenham Endowment).
The Tide School, Wexford.
Whitechurch Parochial School (Glauco's Endowment).
Whitechurch, Stakestown (Paul Endowment).

County of Wicklow—

Crofton Endowed School, Ashford.
Erasmus Smith's School, Kiltegen.
Stratford Lodge Schools, Bellinglass.
Diocesan School, Wicklow.
Free School, Wicklow.
Temenan Orphan School (Waldron Endowment).

Province of Munster—

City of Cork—

Lepp's Charity.
Cork School of Science, Art and Music.

County of Cork—

Aghada National School.
Cora National Endowed Boys School.
Crofton School, Glendrohid, Maureen.
Endowed School, Bandon.
Endowed School, Charleville.
Endowed School, Youghal.
Erasmus Smith's School, Bandon.
Fenny College.
Girls Industrial School, Bandon.
Rohan School, Mallow (Coster Endowment).

County of Tipperary—

Charitable School, Clonmel.

County of Waterford—

Alcock's Apprenticeship Endowment, Waterford.
Endowed School, Lismore.
Blue School, Waterford (Mason Endowment).
Potestant Orphan School, Waterford.
School of Industry, Lady Lane, Waterford.

Province of Ulster—

County of Antrim—

Brown Street Schools, Belfast.
English School, Ballymena (formerly Erasmus Smith's).
Sharpe's Bequest, Ballycastle.

County of Down—

Ballyvaughan School, Bangor.
Ballyvaughan National School, Killinchy.
Ballymacnall National School, Bangor.
Ballymacnall (Oswaldston) National School, Bangor.
Ballymacnall National School, Bangor.
Carricknab National School, Tyrrells.
Carricknab (Woburn) National School.
Clanmell Endowment, Bangor.
Endowed School, Bangor.
Killinck National School.
Killinck National School, Downpatrick.
Mountstewart Erasmus Smith's School, Grey Abbey.
No. 1 National School, Donaghadee.
Shrigley National School, Killybegs.
Tubber-na-Carrig National School, Innishargy.
Tullyvaughan National School, Grey Abbey.

County of Londonderry—

Camus School, Castlereagh.
Foyle College, Londonderry.
Irish Society's Schools, Dorset Place, Castlereagh.

Province of Connaught—

County of Galway—

Hillerton School (Parsons Parnes's Charity).
The Rockfield Institution (Lyons' Endowment).

County of Leitrim—

National School, Manerhamilton (Manton Endowment).

County of Mayo—

Newport Parochial School.

County of Roscommon—

Academical Institution, Baginboda.
Castlereagh School (Lord Mt. Sandford's Bequest).

County of Sligo—

Castlereagh (Arduilly and Barmore), and
Kilglen Schools (Valentine Endowment).
Ballymory National School, Colry, Sligo.
Erasmus Smith's School, Sligo.

TABLE V.—Endowments declared exempt from the jurisdiction
of the Commission.

Province of Leinster—

City of Dublin—

- Bethesda Female Orphan School, Upper
Dorset Street.
Christian Brothers Schools, Basin Lane.
Girls Almshouse, Great Britain Street.
Female Orphan House, North Circular Road.
Piousman's Asylum, Lower Camden Street.
St. Brigid's Catholic Ragged Schools.
St. Catherine's National Schools, Month Street.
St. James's National School, Basin Lane.
St. Michael's National School, North Anne
Street.
SS Michael and John's National Schools,
Essex Street.
St. Saviour's Orphanage, Denmark Street.
St. Thomas' Orphanage, Gloucester Street.
Singleton School, in connection with the
Unitarian Church, St. Stephen's Green.
Wesley College, St. Stephen's Green.

County of Dublin—

- Parochial Schools, Carletonknock.
Parochial School, Finglas.

County of Kilkenny—

- Chapel Lane School, Kilkenny.
St. Kieran's College, Kilkenny.

County of Louth—

- Christian Brothers Schools, Drogheda.
Christian Brothers Schools, Dundalk.
St. Mary's College, Dundalk.

County of Meath—

- St. Finian's Seminary, Navan.

County of Westmeath—

- Belvedere Orphanage, Tyrrellspass.
Westmeath Protestant Orphan Society.
Wilson's Hospital, Mulveyham.

County of Wexford—

- St. Peter's College, Wexford.

Province of Munster—

County of Clare—

- Christian Brothers Schools, Ennis.
Killeshel Diocesan College, Ennis.

City of Cork—

- Christian Brothers Schools, Cork.
Presentation Brothers School, Cork.
St. Finn Barr's Seminary, Cork.
St. Vincent's Orphanage, Cork.

County of Cork—

- Carmelite Seminary, Kinsale.
Christian Brothers Schools, Charleville.
Christian Brothers Schools, Youghal.

Province of Munster—continued.

County of Cork—continued.

- Convent National School, Youghal.
St. Colman's College, Fermoy.
St. Joseph's Convent School, Kinsale.

County of Limerick—

- Cathedral Grammar School, or Blue School,
Limerick.
Christian Brothers Schools, Limerick.
Mount St. Vincent School, Limerick.
Sacred Heart College, Limerick.

County of Tipperary—

- Christian Brothers Schools, Clogmel.
Rockwell College, Cahir.

County of Waterford—

- Bishop Foy's Endowment, Waterford.
Bishop Foy's Apprenticeship Fund, Waterford.
Christian Brothers Schools, Waterford.
Friends School, Newtown, Waterford.
St. John's College, Waterford.

Province of Ulster—

County of Antrim—

- Friends Agricultural School, Brookfield.
Friends Provincial School, Lisburn.
St. Malachy's College, Belfast.

County of Armagh—

- Jackson's Schools, Ferkhill.
St. Patrick's College, Armagh.

County of Cavan—

- Christian Brothers Schools, Cavan.
St. Patrick's College, Cavan.

County of Fermanagh—

- Vaughan Charter School, Tubrid.

County of Londonderry—

- St. Columba's College, Londonderry.

County of Monaghan—

- St. Macarten's Seminary, Monaghan.

Province of Connaught—

County of Galway—

- Christian Brothers Schools, Clonsilla.
Lombard Street Schools, Galway.
St. Ignatius College, Galway.
St. Joseph's College, Tuam.
St. Joseph's Seminary, Nun's Island, Galway.

County of Sligo—

- College of the Immaculate Conception, Sligo.

TABLE VI.—Exempt Endowments, with respect to which applications for Consent Schemes have been received, and are under consideration.

The Parochial Schools of "The Church of Ireland" in the following Dioceses:—

Derry.
Elphin.
Tuam.
Kilfalee and Achery.
Dublin.
Glendalough.
Kildare.
Ousey.
Kilmore, East.
Clonfert and Kilmacduagh.
Ardfert and Aghadoe.

The Endowments belonging to Congregations under the care of the following Presbyteries:—

Abinghill.
Ards.
Armagh.

The Endowments belonging to Congregations under the care of the following Presbyteries:—
continued.

Athlone.
Belfast.
Coleraine.
Comber.
Cormacraig.
Cork.
Derry.
Down.
Dromore.
Letterkenny.
Meaghlin.
Rathfriland.
Strabane.
Templepatrick.
Tyrone.

TABLE VII.—Public Sitzings of the Commission held during the past year.

LIMERICK.—*At the Court House, Friday, October 25, and Saturday, October 26, 1890.*

Mungret Agricultural College.
Lessey's Free School.
The Limerick Diocesan School.
The Roxborough Road School (objections).

DUBLIN.—*At the Office of the Commission, Thursday, April 10, 1890.*

The Charlton Charity for Marriage Portions, Co. Meath, and Co. Longford.
Roger Palmer's Charity for Marriage Portions, Rush, Co. Dublin.
The Chetwode and Stearne Apprenticeship Charity.

NAYAK.—*At the Court House, Friday, April 11, 1890.*

The Charlton Charity.—*Adjourned Inquiry.*
The Chetwode and Stearne Charity.—*Adjourned Inquiry.*

LONGFORD.—*At the Court House, Friday, May 2, 1890.*

The Charlton Charity.—*Adjourned Inquiry.*

DUBLIN.—*At the Office of the Commission, Saturday, August 2, 1890.*

The Commissioners of Education in Ireland, and the Endowments of the Ulster Royal Schools. (Objection of the Treasury to Superannuation Clause.)

ABSTRACT OF THE MINUTES OF THE COMMISSIONERS.

PART I.

SUMMARY OF MEETINGS AND ATTENDANCES.

(A.) TABLE showing MEETINGS held during the Year ending September 30, 1890.

MEETINGS HELD BY	Number of Meetings held.	Number of those Meetings which were Public Inquiries.	Number of stated attendances of Full Commission.
The Full Commission,	81	6	82
The Judicial Commissioners,	41	—	—
The Assistant Commissioners,	26	—	—
Total,	148	6	32

(B.) TABLE showing the ATTENDANCES of the COMMISSIONERS at the Meetings during the Year ending September 30, 1890.

NAMES OF COMMISSIONERS.	Full Commission.		Judicial Commissioners Meetings.	Assistant Commissioners Meetings.	Total.
	Meetings.	Stated Attendances.			
JUDICIAL COMMISSIONERS :					
Lord Justice FitzGibbon,	86	17	41	—	124
Lord Justice Nash (Resigned Jan. 21, 1890).	35	—	29	—	64
Mr. Justice O'Brien (Appointed Feb. 6, 1890).	21	6	12	—	39
ASSISTANT COMMISSIONERS :					
Very Rev. Dr. Molloy,	75	*27	—	24	126
Dr. Trull,	70	13	—	29	105
Professor Dougherty,	48	4	—	20	72

* Exclusive of six attendances by Dr. Molloy to transact the business of the Commission during the absence of the other Commissioners.

PART II.

MINUTES OF THE FULL COMMISSION.

October 1, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY.

Minutes of three preceding meetings read and confirmed.

Letters read:—

Rev. Thomas H. M. Scott (Sept. 26), on behalf of the Remonstrant Synod of Ulster, objecting to the Draft Scheme for Brown's Trusts, Co. Down.

Thomas H. Jermy (Sept. 26), giving names of present Trustees of St. Stephen's Hospital, Cork.

Rev. Thomas Browne, F.R., Loughmacore (Sept. 27), and Rev. James Dowd (Sept. 23), sending observations on the Limerick Memorandum drawn up by the Commissioners.

Rev. Andrew Murphy (Sept. 30), on behalf of the Most Rev. Dr. O'Dwyer, Bishop of Limerick.

Rev. M. F. Burke (Sept. 23) asking for an Endowment for the Killynane Classical School, Co. Limerick.

Rev. W. Moore Morgan (Sept. 26) asking certain questions as to a Scheme for the Parochial Schools of the Diocese of Armagh.

Sir William Quarles Ewart (Sept. 27) asking that the Scheme for the Ledley School Endowments be not proceeded with for the present.

Drummond Grant, Hon. Sec., Coleraine Academical Institution (Sept. 27) asking questions about the Scheme for that Institution now finally approved.

Rev. Henry Cooke (Sept. 27) as to Lord Chesterfield's Grant to a School in Wicklow.

Rev. James B. Keene (Sept. 27) asking if the Commissioners will receive any communication from the Standing Committee of the General Synod before proceeding further with the Meath Diocesan Scheme.

L. A. Beamish, Hon. Sec., Munster Dairy School (Sept. 30) as to the Draft Scheme published for that Institution.

Thomas Liffin, M.P. (Sept. 23) asking when the objections to the Draft Scheme for the Cabul Corporation School Endowments would be heard.

Resolves, as drafted, ordered to be sent.

The Draft Annual Report for the year 1888-9 was considered.

The Objections to the Scheme for the Ulster Royal School Endowments lodged with the Clerk of the Privy Council were considered with a view to preparing observations thereon.

The Commissioners adjourned.

GERALD FITZGIBSON,

October 4, 1889.

Wm. Edward Ellis, Secretary.

October 4, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY.

Minutes of preceding meeting read and confirmed.

Letters read :—

L. A. Beamish, Hon. Sec., Munster Dairy School (Oct. 3).

Robert Stewart, Master of Blue School, Downpatrick, as to his vested interests under the Draft Scheme for the Southwell Charity and the Parochial Schools, Downpatrick.

Rev. John S. Robinson, Rector of Delgany Parish, Co. Wicklow (Sept. 30), asking that a Scheme may be framed for an Endowment in his parish.

Rev. L. McKenna (Sept. 30), objecting to the Draft Scheme for Joseph Brown's Endowments, Co. Down.

William Johnston, M.P. (Oct. 3), on behalf of himself and other Trustees objecting to the Draft Scheme for the Parochial Schools, &c., Downpatrick.

Replies, as drafted, ordered to be sent.

The Draft Annual Report for the year 1888-89 was considered.

The Objections to the Scheme for the Ulster Royal Schools Endowments, lodged with the Clerk of the Privy Council, were considered with a view to preparing observations thereon.

The Commissioners adjourned.

GERALD FITZGIBBON,

October 8, 1889.

Wm. Edward Ellis, Secretary.

October 8, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Lord Justice NAHE, Rev. Dr. MOLLOY,
Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letters read :—

Rev. David Parke (Oct. 4) sending "Forms of Consent" from the various Congregations under the care of the Presbytery of Banbridge.

Very Rev. The Dean of Glwyn (Oct. 5) as to the trusts of Almshouse in the Parish of Glwyn.

The Managers of the Schools sharing in Brown's Trusts, Co. Down, objecting to the Draft Scheme published for those Endowments.

Messrs. F. and K. Reid, Solicitors (Oct. 4) enclosing amended Schedules of the Gwyn and Young Endowments, Londonderry.

John B. McConnell (Oct. 7) enclosing Trust Deed relating to the Downpatrick Parochial Schools.

John B. McConnell (Oct. 7) objecting to the Draft Scheme published for the Southwell Charity and the Parochial Schools, Downpatrick.

Rev. L. McKenna (Oct. 7) in reference to his objection to the Draft Scheme for Brown's Trusts, Co. Down.

Letter (Oct. 1) read from John C. Pounden, Secretary, Diocesan Council of Ferns, asking to be supplied before October 10, with a list of the Rectors of Parishes in that Diocese who have furnished "Forms of Consent."

The Secretary was directed to comply with the request.

Letters read :—

Rev. Peter Wilson (Oct. 5), asking certain questions in connection with the Ferns Diocesan Scheme.

L. A. Beamish, Hon. Sec., Munster Dairy School (Oct. 5), addressed to Lord Justice FitzGibbon.

Replies, as drafted, ordered to be sent.

The Secretary was directed to write to the Most Rev. Dr. Walsh, Archbishop of Dublin, in terms as drafted, asking His Grace's permission to print in the Appendix to the Annual Report the letters and returns furnished by His Grace as to the proportion of pupils receiving Intermediate Education in the principal Roman Catholic Schools to those passing the Intermediate Examinations in certain specified subjects.

The Draft Annual Report for the year 1888-89 was considered.

The Objections to the Scheme for the Ulster Royal Schools Endowments lodged with the Clerk of the Privy Council were considered with a view to preparing observations thereon.

The Commissioners adjourned.

GERALD FITZGERBON,

October 9, 1889.

Wm. Edward Ellis, Secretary.

October 9, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present.—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letters read:—

Wm. Johnston, M.P. (Oct. 8), with reference to his objection to the Draft Scheme for the Parochial Schools, &c., Downpatrick.

Rev. J. Blackwood Price (Oct. 8), on behalf of a Committee consisting of Representatives of original Subscribers, and the Select Vestry of the Parish of Down, objecting to the Draft Scheme for the Parochial Schools, Downpatrick.

Rev. James Cregan, Secretary, Congregational Union of Ireland (Oct. 8), asking that copies of any Schemes relating to Public Endowments may be sent him as they are published.

Rev. James McFerran and Members of the Ballyhamlin Reformed Congregation, objecting to the Draft Scheme for Brown's Trusts, Co. Down.

Wm. Watson, Agent over portion of Brown's Estate (Oct. 9), as to his vested interests.

The Objections to the Scheme for the Ulster Royal School Endowments lodged with the Clerk of the Privy Council were considered with a view to preparing observations thereon.

A Public Sitting was fixed to be held at the Court-house, Limerick, on Friday, October 26, for the purpose of holding a further inquiry into the Mungret College, Leamy's Free School, and the Limerick Diocesan School, and of hearing the views of all persons interested.

The Commissioners adjourned.

GERALD FITZGERBON,

October 15, 1889.

Wm. Edward Ellis, Secretary.

October 11, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present.—Lord Justice FITZGERBON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read:—

William Watson, Agent of the Ayle Estate (Oct. 9), enclosing letter addressed to him by the Trustees of Brown's Endowments, Co. Down.

The Trustees of Brown's Endowments (Oct. 10) objecting to Draft Scheme published for these Endowments.

The Clerk of the Privy Council (Oct. 10) giving notice of sitting to hear Objections to the Scheme for the Ulster Royal Schools Endowments.

Letter (Oct. 10) read from L. A. Beamish, Hon. Sec., Munster Dairy School, enclosing Resolution of the Committee of the School.

A reply, as drafted, ordered to be sent.

The Commissioners adjourned.

GERALD FITZGERBON,

October 15, 1889.

Wm. Edward Ellis, Secretary.

October 15, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL.

Minutes of two preceding meetings read and confirmed.

Letters read :—

Rev. Canon Gabbett (Oct. 11) stating he cannot attend inquiry in Limerick on the 25th inst.

The Clerk of the Privy Council (Oct. 11) changing sitting to hear the objections to Schemes for the Ulster Royal Schools Endowment from 23rd to 24th inst.

The Clerk of the Privy Council (Oct. 12) giving the Commissioners authority to send out any documents relating to the above mentioned sitting.

Rev. Thomas C. Abbott (Oct. 12) asking that Endowments in the Parish of Schull be included in the Scheme for the Dioceses of Cork, Cloyne, and Ross.

Robert Philipot (Oct. 12) enclosing an account of a Public Meeting held in Arklow with reference to the administration of the Carysfort Royal School Endowment.

Letter (Oct. 10) read from Ven. Henry Jellett, Archdeacon of Cloyne, asking for list of the Schools in the Dioceses of Cork, Cloyne, and Ross, whose managers have given their consent to the proposed Scheme. The Secretary was directed to send a list, and was also directed to send a similar list to Mr. John C. Pouladen, Secretary, Diocese of Ferm.

The Objections to the Scheme for the Ulster Royal Schools Endowments, lodged with the Clerk of the Privy Council, were considered with a view to preparing observations hereon.

The Commissioners adjourned.

GERALD MOLLOY,

October 17, 1889.

Wm. Edward Ellis, Secretary.

October 17, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letters (Oct. 14) read from the Clerk of the Privy Council, Dublin Castle, enclosing the following Schemes, together with the objections lodged against same, for the observations of the Commissioners :—

No. 27. Bertrand Female Orphan School, Dublin.

No. 45. Clonsilla Grammar School.

No. 57. Hewetson's School, Clonsilla, Co. Kildare.

* Letter read from Rev. D. Humphreys, &c., Tipperary, addressed to Dr. Molloy, as to the Erasmus Smith's Endowments.

A reply, as drafted, ordered to be sent.

The observations prepared by the Commissioners upon the Objections to the Scheme for the Ulster Royal Schools Endowments, lodged with the Clerk of the Privy Council, were considered, and as amended were finally approved. The Secretary was directed to return the objections to the Clerk of the Privy Council together with printed copies of the observations.

The Commissioners adjourned.

GERALD MOLLOY,

October 22, 1889.

Wm. Edward Ellis, Secretary.

October 22, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letters read:—

Very Rev. The Dean of Elphin (Oct. 18), as to the Scheme for Bishop Hodson's Grammar School, Elphin.

Very Rev. Thomas Hand (Oct. 19), as to the Mungret Endowment, Limerick.

Rev. George Deacon (Oct. 18), giving consent that Schoolhouse in his Parish may be dealt with by Cork Diocese Scheme.

The Under Secretary, Dublin Castle (Oct. 19), informing the Commission of the death of the Rev. James A. Weir, Head Master of the Raphoe Royal School.

Rev. James Kennedy (Oct. 20), asking that the Trust Deed relating to the Larne Grammar School be returned to him.

The Town Clerk of Limerick (Oct. 21), as to the premises of the Roxborough-road School, Limerick.

Letter (Oct. 18) read from Rev. D. Humphreys as to the Erasmus Smith's Endowments.

A reply, as drafted, ordered to be sent.

With reference to Diocesan Schemes and Schemes for Presbyteries, the Secretary was directed to write in terms as drafted to the Sub-Committee appointed by the Standing Committee of the General Synod to deal with Diocesan Schemes, and also to the Elementary Education Committee of the General Assembly.

The Secretary was directed to forward a circular letter, as drafted, to each of the existing Governors of Morgan's School, Castleknock, to each Member of the existing Local Committee, and to the Secretary of the Governors of Mercer's School, Castleknock.

It was ordered:—

That the following Schemes should be advanced with a view to being signed by the Judicial Commissioners:—

- No. 48. Kilkenny College.
- No. 56. The Gilson Schools, Oldcastle.
- No. 60. The Cusack Corporation Endowments.
- No. 63. St. Stephen's Hospital, Cork, founded by William Worth.
- No. 67. The Southwell Schools Endowment, Kinnake.
- No. 68. The Shield Charity, Rochfort Bridge.
- No. 69. Bishop Hodson's Grammar School, Elphin.
- No. 70. The Orphan Society of the Association of Irish Non-Subscribing Presbyterians and other Free Christians.
- No. 72. The Sabbath School Society for Ireland in connection with the Presbyterian Church.
- No. 74. The Southwell Charity and The Parochial Schools, Downpatrick.

That the following Schemes be advanced with a view to first publication:—

- The Carysfort Royal School Endowment.
- The Bannagher Royal School Endowment.
- D'Israeli's School, Rathvilly.
- Ellerton School (Parsons Perse's Charity).
- Anahilt Endowed School.
- Arms Hall's Charity.
- The Incorporated Society.
- The Crafter School, Clonsilla.
- The Ballyrean Endowment.

The Commissioners adjourned.

GERALD FITZGERSON,
November 1, 1889.

Wm. Edward Ellis, Secretary.

October 25, 1889.

PUBLIC SITTING.

Meeting of the Commission held this day at the Court House, Limerick.

Present:—Lord Justice FITZGIBBON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Charles Ryan, Shorthand Writer, was in attendance.

THE MUNGRET AGRICULTURAL SCHOOL AND MODEL FARM, AND LEAMY'S FREE SCHOOL.

Sir Stephen De Vere, Bart., and J. G. Barry, Esq., Secretary, appeared on behalf of the Trustees of Mungret College.

Very Rev. T. Head, S.J., Rector of Mungret College, and Rev. Wm. Roman, S.J., appeared on behalf of the Jesuit Order.

Very Rev. Dean Bunbury and Lord Claria appeared on behalf of the Governing Body of Leamy's School.

Rev. James P. Gregg, Principal of the Bonabrook-road School appeared in person.

D. F. Browne, M.A., appeared on behalf of the Christian Brothers, Limerick.

C. F. Doyle, M.L., appeared on behalf of the Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.

P. Shilton Connolly, Solicitor, appeared on behalf of the Corporation of Limerick.

The following were also present:—

Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.

Lord Montagu.

Alexander Shaw, J.P.

Rev. T. O'Keefe, S.J., Sacred Heart College.

Rev. T. Browne, S.J.

Rev. Chancellor Gubbins.

Rev. David Wilson, M.A.

Rev. W. Examinale.

Rev. James Dowd, M.A.

James Quin, J.P.

Jerome Connihan, J.P.

John White, J.P.

Captain Vanderkiste.

James O'Shaughnessy, M.D.

Lord Justice FitzGibbon made an opening statement.

The following, having been sworn on a previous occasion, made statements, and were examined:—

Very Rev. Dean Bunbury.

Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.

Rev. W. Examinale.

Rev. D. Wilson.

William Mercer, Head Master, Leamy's School.

James O'Shaughnessy, M.D.

The following made statements:—

Sir Stephen De Vere.

Lord Montagu.

Rev. T. Head, S.J.

Rev. Chancellor Gubbins.

Rev. James Dowd.

D. F. Browne, M.A.

Charles F. Doyle, M.L.

Lord Claria.

Jerome Connihan, J.P.

Rev. Thomas Browne, F.P., Loughmore.

Anthony Foxe.

The Commissioners adjourned.

ANTHONY TRAILL,
November 15, 1889.N. D. Murphy,
Chief Clerk and Assistant Secretary.

October 26, 1889.

PUBLIC SITTING.

Meeting of the Commission held this day at the Court House, Limerick.

Present:—Lord Justice FITZGIBBON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Charles Ryan, Shorthand Writer, was in attendance.

THE MUNGRET AGRICULTURAL SCHOOL AND MODEL FARM, AND LEAMY'S FREE SCHOOL.

The same parties appeared as on previous day.

The following, who on a previous occasion had been sworn and examined, made statements:—

Rev. T. O'Keefe, A.A.
 Rev. W. Bannister.
 Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.
 Very Rev. Dean Bunbury.

The following made statements:—

Charles F. Doyle, A.A.
 James Quinn, A.A.

LIMERICK DIOCESAN SCHOOL.

Rev. James F. Gregg and the Most Rev. Dr. O'Dwyer appeared in person.
 P. Shelton Connolly, Esq., appeared for the Corporation of Limerick.
 Charles F. Doyle, A.A., appeared for the Christian Brothers, Limerick.

Lord Justice FitzGibbon made an introductory statement.

Most Rev. Dr. O'Dwyer and Charles F. Doyle, A.A., made statements.

Rev. J. F. Gregg, who had been sworn and examined on a previous occasion, was further examined.

James O'Shaughnessy, M.D., made a statement.

The Commissioners adjourned.

ANTHONY TRAILL,
 November 15, 1889.

N. D. Murphy,
 Chief Clerk and Assistant Secretary.

November 1, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the meeting of October 22 read and confirmed.

Letters read:—

The Clerk of the Privy Council, Dublin (Oct. 22, Oct. 24, Oct. 26), sending copies of the following Schemes finally approved. Nos. 26, 39, 40, and 52.

James Henry, Solicitor (Oct. 24), asking for copy of the objections lodged with the Privy Council against the Scheme framed for the Bertrand Female Orphan School, Dublin.

Rev. D. Humphreys (Oct. 25), as to the Erasmus Smith's Endowment.

Right Hon. Lord Montagu, of Brandon (Oct. 27), enclosing the statement read by him at the sitting in Limerick on Oct. 25.

Right Rev. The Lord Bishop of Cork (Oct. 28), as to consent forms for the Parochial School Endowments of the Dioceses of Cork, Cloyne, and Ross.

Letter (Oct. 22), read from John C. Founnan, Sec., Diocese of Ferns, enclosing letter of Capt. R. D'Olier George as to the Donmore Parochial School.

A reply, as drafted, ordered to be sent.

Letter (Oct. 26), read from Rev. George Tottenham, giving names for the proposed Governing Body to administer the Endowments of the Diocese of Clogher.

The Secretary was directed to send the usual letter asking for a list of Endowments for which a Scheme may be prepared.

Letters read:—

Capt. R. D'Olier George (Oct. 28) enclosing original Lease relating to the Donmore Parochial School.

Rev. F. H. Risgwood, M.D. (Oct. 29), as to the period of retirement of Head Masters under the Scheme for the Ulster Royal School Endowments.

The Secretary, Board of Works, Dublin (Oct. 28), asking for what further period after March 31, 1890, the Educational Endowments Commissioners will require the Office, 23, Nassau-street, Dublin.

Replies, as drafted, ordered to be sent.

The Secretary was directed to write in terms, as drafted, to the Secretary of the Charity Commission of England and Wales, and to the Secretary of the Educational Endowments (Scotland) Commission, asking for information as to the arrangements made for the inspection of schools sharing in Endowments dealt with by their respective Bodies.

The Commissioners adjourned.

ANTHONY TRAILL,

November 15, 1889.

Wm. Edward Ellis, Secretary.

November 8, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FRZGIBSON, Lord Justice NAESH, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Letters read :—

Edward C. Hamilton (November 2), acknowledges receipt of circular letter relating to Morgan's School, Dublin.

The Clerk of the Privy Council, Dublin (November 2), sending copy of No. 38 Scheme finally approved.

P. Enright (November 2), as to the Roxborough-road School, Limerick.

His Grace the Lord Primate (November 4), as to the Scheme for Morgan's School, Dublin.

The Secretary, Educational Endowments (Scotland) Commission (November 4), in answer to letter written as directed by the preceding minutes.

Rev. F. H. Ringwood, LL.D. (November 5), as to the Scheme for the Ulster Royal School Endowments.

Rev. George Webster, D.D. (November 5), as to the Scheme provisionally approved for the Parochial Schools of the City of Cork.

The Clerk of the Privy Council, Dublin Castle (November 6), remitting the Scheme for the Ulster Royal School Endowments, with a declaration by the Lord Lieutenant in Council.

Rev. Thomas Browne, F.R. (November 7), as to the Mungret Endowment, Limerick.

The Clerk of the Privy Council, Dublin Castle (November 7), sending copies of the following Schemes finally approved :—Nos. 32, 49, 50, and 56.

Letters also read from :—

Rev. Harace T. Townsend (November 2), as to the Kilsnoe Parochial School, Diocese of Ross.

Rev. Josias A. Chancellor, D.D. (November 5), as to inspection and audit of accounts of the Belfast Royal Academy.

Rev. John Kingham (November 1), as to the amended Scheme for the Presbyterian Sabbath School Society.

R. B. Ballin, D.L. (November 7), as to the Leigh Charity, Drogheda.

John C. Foxenden (November 7), as to the Dunecranck School in the Diocese of Ferns.

Replies, as drafted, ordered to be sent.

The Draft Annual Report for the year 1888-89 was further considered.

The Commissioners adjourned.

ANTHONY TRAILL,

November 15, 1889.

Wm. Edward Ellis, Secretary.

November 9, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERALD, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Letters read :—

Right Hon. Viscount De Vesci (November 8), as to the death of the Master of the Ballyroan School, Queen's County.

M. Beckett, M.A., Curt Henzig, M.A., and T. C. Gambier, Assistant Masters in the Ulster Royal Schools (November 8), as to their vested interests.

Replies, as drafted, ordered to be sent.

Letter (November 1) read from the Clerk of the Privy Council as to the Inspection of Schools sharing in Endowments administered by Schemes framed by the Commissioners.

Letter (November 7) read from the Secretary, Endowed Schools Department, Charity Commission, England, as to the Inspection of Schools sharing in Endowments administered by Schemes under that Commission.

The question of the Inspection of Schools sharing in Endowments administered under Schemes framed by the Commissioners, was discussed.

Erasmus Smith's Endowments.

The principles of a draft Scheme were discussed, and the Secretary was directed to prepare a draft Scheme upon the following basis :—

1. That it is an Endowment of private foundation, and therefore the Scheme must have regard to the founder's intentions.

2. That in the opinion of the majority of the Commissioners, having regard to these intentions, the Governing Body should be exclusively Protestant, subject to a question to be further discussed as to the admission of various denominations of Protestants to the Governing Body.

3. That the Scheme should recite the substance of documents in chronological order, and also the Statutes, beginning with the Deed of 1657.

Letter (November 9) read from the Clerk of the Privy Council, Dublin Castle, fixing the hearing of Objections lodged against the Schemes framed for the Bertrand Female Orphan School, Dublin, Clonmel Grammar School, and Hewetson's School, Clonsilla, for Thursday, November 28, at 11 o'clock, A.M.

The Secretary was directed to write to the Clerk of the Privy Council asking for permission to send copies of the printed objections connected with the above Schemes, and also the Commissioners' observations thereon, to the parties interested, as has been done in other cases, and also to say that if a general direction to the above effect could be given, the Commissioners will be glad to act upon it in all future cases without troubling him with further correspondence on the subject.

It was ordered :—

That stated meetings of the Commission should be held until further notice on Wednesdays and Fridays at 3 o'clock, P.M., and on Saturdays at 12 o'clock; on Wednesdays and Fridays routine business and correspondence in first instance to be taken up; and on Saturdays, special business to take precedence.

The draft Annual Report for the year 1888-89, was further considered.

The Commissioners adjourned.

ANTHONY TRAILL,

November 15, 1889.

Wm. Edward Ellis, Secretary.

November 13, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read :—

Rev. Brother John P. Lynch (Nov. 9), enclosing memorial from tenants and sub-tenants on the lands of Erasmus Smith, in the county of the town of Galway, putting forth their claim upon the endowments.

Alfred T. Wallace, Town Clerk of Limerick (Nov. 9), enclosing resolution of the Limerick Town Council as to the Baxborough-road School and to the Leamy School, Limerick.

Ven. Henry Jellett, Archbishop of Cloyne (Nov. 11), submitting an amendment from the Diocesan Synod of Cork, Cloyne, and Ross to the Draft Scheme published for the Parochial Schools of the Diocese of Cork, Cloyne, and Ross.

The Clerk of the Privy Council, Dublin Castle (Nov. 9), enclosing copies of Schemes Nos. 37 and 51, finally approved.

Rev. J. W. Chambers, M.A. (Nov. 12), as to the Donemore National School, in the Parish of Glenties, Diocese of Fermanagh.

Rev. Herman T. Townsend (Nov. 11), consenting to the Kilsnoe Parochial School being included in the Scheme for the Parochial Schools of the Dioceses of Cork, Cloyne, and Ross.

The Deputy Keeper, Public Record Office of Ireland (Nov. 11), enclosing copy of Will of Peter Bertram.

The Secretary to the Treasury (Nov. 12), transmitting Receivable Orders for sums to be recovered from the Governing Bodies of the following Endowments for the publication of Draft Schemes:—Nos. 31, 35, 36, 37, 38, 39, 41, 42, 50, 51, 52, and 53.

The Observations of the Commissioners upon the Objections lodged with the Clerk of the Privy Council to the Schemes for the Barmahall Female Orphan School, Dublin, the Clonmel Grammar School and Hewatson's School, Clonsilla, were considered, and, as amended, were finally approved. The Secretary was directed to return the original objections to the Clerk of the Privy Council, together with printed copies of the objections and the observations thereon to the parties interested upon permission being received from the Privy Council.

The Draft Report for the year ending September, 30, 1889, was adopted and signed.

The Commissioners adjourned.

ANTHONY TRAILL,

November 15, 1889.

Wm. Edward Ellis, Secretary.

November 15, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FERGUSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The minutes of the meetings of July 23, and October 25 and 26, and of the three preceding meetings, were read and confirmed.

Letters read:—

The Clerk of the Privy Council, Dublin Castle (November 13), giving permission of the Privy Council to send copies of printed objections to Schemes, and the observations of the Commissioners thereon, to the parties interested in all cases.

Rev. Godfrey G. Greene, Head Master (November 13), as to apprentice fees in connection with the New Ross Endowed School.

Rev. H. B. Wilson, M.A. (November 13), stating that the Elementary Education Committee of the General Assembly approve of the Schemes published for the Presbyteries of Banbridge, Ballybay, and Dublin.

Letters read:—

Charles W. Todd, Hon. Sec., Select Vestry of the Parish of Ballymacarrett (November 6), as to the Scheme for the Ledley School Endowments.

William D'Esterre Parker (November 12), asking if Schoolhouse and residence in Mullane Parish has been included in the Cork Diocesan Scheme.

The Most Rev. Dr. Nulty, Lord Bishop of Meath (November 14), returning the Draft Scheme for the St. Paul Charity with His Lordship's amendments thereto.

Rev. Thomas Smollen, F.R., V.C. (November 14), as to the objections against the Scheme for the Ulster Royal School Endowments, lodged with the Privy Council, and the Commissioners' observations thereon.

Replies, as drafted, ordered to be sent.

The Amended Scheme for the Ulster Royal School Endowments as prepared by the Judicial Commissioners was considered, and a circular letter to be sent to parties interested with copies of the Amended Scheme was approved.

The Commissioners adjourned.

GERALD MOLLOY,

November 20, 1889.

Wm. Edward Ellis, Secretary.

November 16, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBSON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Professor DOUGHERTY.

The Amended Scheme for the Ulster Royal School Endowments as prepared by the Judicial Commissioners was further considered.

The principles on which a Scheme for the Carysfort Royal School Endowment, should be prepared were submitted and considered.

It was agreed :—

That a Memorandum should be prefixed to the Scheme for the Incorporated Society.

The Secretary was directed to prepare a letter as drafted to the Registrar, Erasmus Smith's Board, asking him for the loan of the first Minute Book of his Board.

The Commissioners adjourned.

GERALD MOLLOY,

November 20, 1889.

Wm. Edward Ellis, Secretary.

November 20, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBSON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the two preceding meetings read and confirmed.

Letters read :—

The Under Secretary, Dublin Castle (Nov. 14), asking for an estimate of expenses of the Commission in 1890-91, and for a statement as to the probable duration, present progress, &c., of the Commission for the information of Parliament.

Von. the Archbishop of Cury (Nov. 15) sending refusal of costs of publication of the Draft Scheme for the Thomastown Parochial School.

R. St. J. Lonsgrum, Ass. Sec., Diocesan Council of Cork, Clonme, and Ross (Nov. 15), as to obtaining information of the income of the several Parochial Schools.

Letters also read :—

Rev. Canon Gregg (Nov. 15), as to sending an account of his expenditure on the Limerick Diocesan School premises.

H. E. Kincaid, Head Master (Nov. 15), as to the Scheme for the Rainey School, Magherafelt.

Rev. Peter Fagan, &c. (Nov. 15), as to the Scheme for the Shell Charity, Rochfort Bridge.

Replies, as drafted, ordered to be sent.

The Secretary was directed to write to the Registrar, Erasmus Smith's Board, for the balance sheets of the Board since 1886.

The Commissioners adjourned.

J. B. DOUGHERTY,

November 22, 1889.

Wm. Edward Ellis, Secretary.

November 22, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letters read :—

Right Hon. Viscount De Vesci (Nov. 21), as to the Scheme for the Ulster Royal School Endowments.

Very Rev. the Dean of Elphin (Nov. 21), as to the revised Scheme for Bishop Haden's Grammar School, Elphin.

J. Vaughan (Nov. 21) as to the Ardkeen Charity, Athlone.

M. S. Cusack (Nov. 23), as to the Ballyraan Endowment.

The heads of a Scheme for the Carysfort Royal School Endowment were considered.

The Commissioners adjourned.

JOHN NAISH,

November 23, 1889.

Wm. Edward Ellis, Secretary.

November 23, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letter (Nov. 21) read from William N. Wallace, J.P., enclosing observations on the Draft Scheme published for the Southwell Charity and Parochial Schools, Downpatrick.

Questions were discussed with reference to the following Schemes:—

The Gwyn and Young Endowments, Londonderry.
Philoborough Sunday and Daily Schools, Dublin.
Guy's Free School, Ballymena.
Ratney School, Magherafelt.
Meath Parochial Schools and the Preston School, Navan.
The Gilson Schools, Oldcastle.

The Commissioners adjourned.

GERALD FITZGERSON,

December 6, 1889.

Wm. Edward Ellis, Secretary.

November 27, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL.

Letters read:—

Edmund P. Brennan, Registrar, Erasmus Smith's Board (Nov. 25), stating his Board refuse to have the Kilpicks, Newtownaberry, and Templehambe Schoolhouses vested in the new Diocesan Board for Ferns.

Very Rev. the Dean of Elphin (Nov. 25), sending particulars of the expenditure of the Bishop Hedeen Endowment.

W. N. Wallace (Nov. 25), sends observations on the amended Scheme for the Southwell Charity and Parochial Schools, Downpatrick.

Letters also read:—

Rev. Henry F. Macdonald (Nov. 25), asking where he can procure copies of the Scheme for the Robertson Endowments, County Donegal, as finally approved.

Sir William Quarters Ewart, Bart. (Nov. 25), as to the Scheme for the Ledley School Endowments, Ballymacarretta.

Edward C. Hamilton, Secretary, Morgan's School, Dublin (Nov. 25), sending suggestions of the Morgan Trustees as to a Scheme for that Institution.

Replies, as drafted, ordered to be sent.

Letter (Nov. 23), read from the Most Rev. Dr. Logue, Lord Archbishop of Armagh, sending names to be substituted in the Scheme for the Ulster Royal School Endowments for those of Dr. Owen A. MacFarland, and Mr. Richard Garland, as these gentlemen have ceased to reside in the Armagh District as defined by the Scheme.

The Secretary was directed to inform His Grace that the alteration will be made, and also to send an intimation of same to Dr. MacFarland and Mr. Garland.

Questions were discussed with regard to the Schemes for the following Endowments:—

Kilkeenny College.
Ballymena Collegiate School.
The Southwell School Endowment, Kinsale.
The Parochial Schools of the Diocese of Meath, and the Preston School, Navan.

The Secretary was directed to write to Mr. J. Vaughan, asking for further particulars of the Ardkeenane Charity, Athlone.

The Commissioners adjourned.

GERALD FITZGERSON,

December 6, 1889.

Wm. Edward Ellis, Secretary.

November 29, 1889.

Meeting of the Commission held this day at their Office, 23, Nassau Street, Dublin.

Present:—Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

Chas. Chaloner (Nov. 28), giving consent that King's Post School should be vested in the new Governing Body for the Meath Diocesan Endowments.

Mervyn Pratt (Nov. 28), giving consent that Cabra National School should be vested in the new Governing Body for the Meath Diocesan Endowments.

Rev. George Shaw, D.D. (Nov. 28), as to the revised Scheme for the Presbyterian Sabbath School Society.

Rev. J. Blackwood Price (Nov. 28) as to the revised Scheme for the Southwell Charity and the Parochial Schools, Downpatrick.

Questions relating to Inspection of Schools for which Schemes have been framed and finally approved were discussed.

The Commissioners adjourned.

GERALD FITZGERDON,

December 6, 1889.

Wm. Edward Ellis, Secretary.

November 30, 1889.

Meeting of the Commission held this day at their Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

William Johnson, M.P. (Nov. 30), as to the revised Scheme for the Southwell Charity and the Parochial Schools, Downpatrick.

R. R. Balfour, as to the Leigh Charity, Drogheda.

Letter (Nov. 28) read from Rev. James F. Gregg, enclosing account of his expenditure on the Roxborough Road School, Limerick, and also enclosing a letter from Mr. Mitchell, Architect, as to the outlay at present necessary on the buildings.

A reply, as drafted, directed to be sent, with Mr. Mitchell's letter enclosed.

Letters also read:—

Rev. J. K. Latham (Nov. 28), as to the Tate School, Wexford.

Very Rev. The Dean of Eglislin (Nov. 29), as to the revised Scheme for the Bishop Hodson's Grammar School, and offering to provide an Endowment for prizes in the School.

Replies, as drafted, ordered to be sent.

Questions were discussed with regard to the Schemes for the following Endowments:—

The Parochial Schools of the Dioceses of Cork, Cloyne, and Ross.

The Parochial Schools of the Diocese of Meath.

The Ballymena Collegiate School.

The Cashel Corporation School Endowments.

The Secretary was directed to write in terms as drafted to Messrs. M'Donoghie and Sons, Solicitors, and to the Incumbent of Ballymacarett, with reference to the Ledley School Endowments, Ballymacarett.

The heads of the letter as to Inspection of Schools were settled.

The Commissioners adjourned.

GERALD FITZGERDON,

December 6, 1889.

Wm. Edward Ellis, Secretary.

December 4, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL.

Letters read :—

Dr. J. W. Olpherts (Nov. 30, Dec. 3), as to the Scheme for the Southwell Charity and Parochial Schools, Downpatrick.

Sir William Quatrus Ewart, Bart. (Nov. 30), as to the Scheme for the Ladley School Endowments.

Rev. James B. Keene (Nov. 29), as to the Meath Diocesan Scheme.

Rev. James Morell (Dec. 2), refusing to have School included in Ballyhay Presbytery Scheme.

The Right Rev. the Lord Bishop of Cork, } Approving of the Cork, Cloyne, and Ross
Ven. The Archdeacon of Cloyne (Dec. 3), } Diocesan Scheme.

Letters also read :—

Henry Tohill (Nov. 30), asking that a correction as to his name be made in the amended Scheme for the Ulster Royal School Endowments.

Rev. William Steele (Dec. 3), asking as to the retiring clause in the Scheme for the Ulster Royal School Endowments.

Replies, as drafted, ordered to be sent.

The letter as to Inspection of Schools was considered.

The Commissioners adjourned.

JOHN NAISH,
December 18, 1889.

Wm. Edward Ellis, Secretary.

December 6, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Minutes of the meetings of November 23, 27, 29, and 30 were read and confirmed.

Letters read :—

Very Rev. William Warburton (Dec. 4), Dean of Elphin, as to the funds available for the support of Bishop Hodson's Grammar School, Elphin.

The Right Rev. W. Pakenham Walsh, D.D., Lord Bishop of Cussey (Dec. 5), asking if the Commissioners were preparing a Scheme for the Parochial Schools of the Diocese of Cussey.

Replies, as drafted, ordered to be sent.

[In answer to an inquiry from the Rev. James B. Keene, M.A., the Secretary was directed to write to him stating that the Meath Diocesan Scheme will be so framed as not to expose the Kinsey bequest to any risk of forfeiture not already affecting it, but the Commission has no jurisdiction to affect any rights possessed by the legatee in remainder under the will of Joseph Kinsey.

The letter as to Inspection of Schools was considered and approved, and the Secretary was directed to forward it to the Under Secretary, Dublin Castle.

The Commissioners adjourned.

JOHN NAISH,
December 18, 1889.

Wm. Edward Ellis, Secretary.

December 7, 1889.

Stated attendance of the Commissioners held this day at the Office, 25, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON.

Letter (Dec. 6) read from Thomas Laffan, M.D., as to the revised Scheme for the Cashel Corporation School Endowments.

A reply, as drafted, ordered to be sent.

Directions were given with regard to the following Schemes:—

- No. 5. Morgan's School, Carricknock.
- No. 34. The Ulster Royal School Endowments.
- No. 43. Guy's Free School, Ballymena.
- No. 44. The Ballymena Academy.
- No. 46. Kilkenny College.
- No. 53. The Meath Parochial Schools, &c.
- No. 54. The Gilman Schools, Oldcastle.
- No. 59. The Cashel Corporation School Endowments.
- No. 60. The Cashel Denary Schools.
- No. 63. The Leckley School Endowments, Ballymacarrett.
- No. 64. The Dublin Presbytery Endowments.
- No. 68. St. Stephen's Hospital, Cork.
- No. 66. The Cork, Cloyne, and Ross Parochial Schools, &c.
- No. 67. The Southwell School Endowment, Kinsale.
- No. 68. The Shield Charity, Rockfort Bridge.
- No. 69. Bishop Hodson's Grammar School, Elphin.
- No. 70. The Non-Subscribing Presbyterian Orphan Society.
- No. 71. Strabane Academy.
- No. 72. The Presbyterian Sabbath School Society.
- No. 73. The Parochial Schools of the Diocese of Ferns.
- No. 74. The Southwell Charity and the Parochial Schools, Downpatrick.
- No. 75. The Endowments of and belonging to Congregations under the care of the Presbytery of Ballybay.
- No. 76. The Parochial Schools of the Diocese of Limerick.
- No. 78. The Endowments of and belonging to Congregations under the care of the Presbytery of Banbridge.
- No. 79. Joseph Brown's Endowments, Co. Down.
- D'Israeli's School, Rathfrilly.
- Carysfort Royal School Endowment.

JOHN NASH,

December 18, 1889.

Wm. Edward Ellis, Secretary.

December 11, 1889.

Meeting of the Commission held this day at the Office, 25, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read:—

Messrs. Bell, Stewards, and May, Solicitors for Sir Hugh Adair, acknowledging receipt of the revised Scheme for the Ballymena Academy.

W. P. Chapman, Registrar and Secretary, Incorporated Society (Dec. 6), giving particulars as to certain funds belonging to the Society.

The Most Rev. Dr. Corkin, Lord Archbishop of Cashel (Dec. 10), approving of the revised Scheme for the Cashel Corporation School Endowments.

Rev. J. B. Keene (Dec. 9), as to obtaining the consent of the Representative Church Body to vest the Schools in the Diocese of Meath in the new Diocesan Board of Education.

Rev. J. Lindsay Darling, M.A. (Dec. 10), as to the proposed Scheme for the Southwell School Endowment, Kinsale.

Letters read:—

James Dickson (Dec. 4), asking when the next Privy Council meeting will be held.

The Most Noble the Marquess of Cromwell (Dec. 10), asking that the time for receiving observations on the revised Scheme for Kilkenny College may be extended till after the 17th instant.

Rev. Frederick Dobbin as to the revised Scheme for the Cork Parochial Schools.

Replies, as drafted, ordered to be sent.

Letter (Dec. 9) read from Richard Garland as to the removal of his name from the Armagh Roman Catholic Local Board in the Scheme for the Ulster Royal School Endowments.

A reply, as already sent, was approved.

Questions discussed relating to the Schemes for the following Endowments:—

No. 24. Gwyn and Young Endowments, Londonderry.

No. 43. Guy's Free School, Ballymena.

Letters, as drafted, were directed to be sent to:—

Colonel Forde, D.L.; William Johnston, M.P.; William N. Wallace, J.P.; and Rev. T. Blackwood Price, M.A., with regard to the revised Scheme for the Southwell Charity and the Parochial Schools, Downpatrick, and in answer to their observations on the same.

The Commissioners adjourned.

JOHN NASH,

December 18, 1889.

Wm. Edward Ellis, Secretary.

December 13, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

Letters read:—

Rev. James Dowd (Dec. 11), stating that the Limerick Diocesan Council decline the Scheme framed for the Parochial Schools of that Diocese.

William N. Wallace (Dec. 12), as to the revised Scheme for the Southwell Charity and Parochial Schools, Downpatrick.

Letters also read:—

Alexander Curuth (Dec. 11), returning the Revised Scheme for the Ballymena Academy approved by the Subscribers, and asking for copies of Scheme when it is completed.

Richard Garland (Dec. 12), as to the removal of his name from the Armagh Roman Catholic Board in the Scheme for the Ulster Royal School Endowments.

Replies, as drafted, ordered to be sent.

Letter (Dec. 11) read from Thomas Wood, asking for a copy of any Letter from Dr. Laffan as to the Revised Scheme for the Cashel Corporation School Endowments.

Ordered:—That a copy of any letter from Dr. Laffan be sent, as requested.

Questions were discussed with regard to the following Schemes:—

No. 24. Gwyn and Young Endowments, Londonderry.

No. 64. Presbytery of Dublin Endowments.

No. 75. Presbytery of Ballybay Endowments.

No. 78. Presbytery of Banbridge Endowments.

The Commissioners adjourned.

JOHN NASH,

December 18, 1889.

Wm. Edward Ellis, Secretary.

December 14, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERALD, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

Thomas Laffan, M.A., and Andrew Melonky (December 12), as to the revised Scheme for the Cashel Corporation School Endowments.

John C. Pendera (December 12), as to the revised Scheme for the Parochial Schools of the Diocese of Ferns.

Rev. S. De C. Williams (December 12), giving consent that Rathconnell School be included in the Meath Diocesan Scheme.

Letter (December 12) read from Rev. George Gore Mervyn, M.A., Incumbent of Ballymacarett, asking that the completion of the Scheme for the Ladbey School Endowments be postponed till after the New Year.

A reply, as drafted, ordered to be sent.

Telegram read from Rev. J. B. Keene, M.A., asking if consent of present Manager of School will suffice in order to include in the Meath Diocesan Scheme Schools vested in the Minister and Churchwardens.

A reply, as drafted, ordered to be sent.

Letter (December 12) read from the Right Rev. Dr. Graves, Lord Bishop of Limerick, approving of the revised Scheme for the Parochial Schools of his Diocese.

The Secretary was directed to write in terms as drafted, to his Lordship, and to the Rev. James Dowd, Diocesan Secretary, in reference to the Scheme.

Questions were discussed relating to the Scheme for the Cashel Corporation School Endowments, and the Secretary was directed to write to the Town Clerk of Cashel asking for the name of a representative of the Cashel Corporation to be named on the Governing Body of the above Endowments, in place of Dr. Laffan who has declined to act.

The Scheme for the Gwyn and Young Endowments, Londonderry, was considered and amended.

The Secretary was directed to write to the Rev. Thomas Jordan, B.D., Magherafelt, in terms as drafted, stating that the Commissioners hope to complete and sign the Scheme for that Institution within the next fortnight.

The Commissioners adjourned.

JOHN NAISH,

December 18, 1889.

Wm. Edward Ellis, Secretary.

December 18, 1889.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERALD, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the meetings of December 4, and December 6, of the stated attendance of December 7, and of the three preceding meetings, read and confirmed.

Letter (December 14), read from Rev. James Dowd, stating that the Commissioners letter of the 13th instant will be laid before the Limerick Diocesan Council.

Letters also read:—

The Right Rev. W. Pakenham Walsh, B.D., Lord Bishop of Ossory (December 14), enclosing application of Diocesan Council to prepare a Scheme for the Parochial Schools of the Diocese of Ossory.

Rev. James Meeks (December 12), enclosing Schedule of Endowments for a Scheme for the Rectory of Newry.

Edmund Kerr, Principal (Dec. 14), } As to the revised Scheme for the Strabane Academy.

Rev. John Irwin, Secretary (Dec. 14), }

Rev. Frederick Dublin (Dec. 14), as to the revised Scheme for the Parochial Schools of the Diocese of Cork, Cloyne and Ross.

The Right Rev. Dr. Graves, Lord Bishop of Limerick (Dec. 16), as to the Scheme for the Parochial Schools of the Diocese of Limerick.

Edmund F. Brennan, Registrar, Erasmus Smith's Board, as to a School in the Diocese of Meath vested in his Board.

Dr. J. Wytheville Cliphart (Dec. 17), as to the revised Scheme for the Southwell Charity and the Parochial Schools, Downpatrick.

Replies, as drafted, ordered to be sent.

Letter (December 14), read from E. H. Poe Horsford, Solicitor, on behalf of the representatives of the late James M. Weir, Head Master, Kilkenny College, as to the revised Scheme for that Institution.

To be informed that a copy of his letter has been forwarded to Mr. James Fox, Agent to Lord Oranmore, and to the Lord Bishop of Osnery for their observations.

Questions with regard to the Diocesan Schemes were discussed.

The Commissioners adjourned.

GERALD FITZGERSON,

December 21, 1889.

Wm. Edward Ellis, Secretary.

December 20, 1889.

Stated Attendance of the Commissioners held this day at the Office, 25, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

The Under Secretary, Dublin Cath (Dec. 18), acknowledging receipt of Report of the Commissioners for the year 1888-89.

Messrs. Bell, Stewards, and May, Solicitors to Sir Hugh E. Adair, Bart. (Dec. 17), as to the revised Scheme for Ballymena Academy.

Rev. J. K. Latham (Dec. 19), sends consent for Wexford Parochial School, and also for an Endowment to be inserted in the Ferns Diocesan Scheme.

Patrick Ryan, Solicitor (Dec. 19), } as to the revised Scheme for the Castel
Very Rev. Don Kinane, S.F., Castel (Dec. 19), } Corporation School Endowments.

Questions discussed with reference to the Scheme for the Gwyn and Young Endowments, Londonderry.

GERALD FITZGERSON,

December 21, 1889.

Wm. Edward Ellis, Secretary.

December 21, 1889.

Meeting of the Commission held this day at the Office, 25, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting and of the stated attendance of December 20 were read and confirmed.

Letters read:—

John Cooke, R.E. (Dec. 20), enclosing observations on the revised Scheme for the Gwyn and Young Endowments, Londonderry.

Thomas H. Jermya (Dec. 20), enclosing consent of the Trustees of St. Stephen's Hospital, Cork, that the Endowments may be dealt with under the Act.

The Secretary, Representative Church Body (Dec. 20), giving consent that the Parochial Schools in the Dioceses of Meath, Ferns, and Cork, Cloyne and Ross, may be dealt with under the Act.

Letters also read:—

Rev. George P. Quick (Dec. 20), as to Endowments in his parish.

Rev. Frederick Dobbin (Dec. 20), as to the Cork Diocesan Scheme.

Replies, as drafted, ordered to be sent.

Questions discussed regarding the Schemes for Guy's School, Ballymena, and for Gwyn and Young Endowments, Londonderry.

A memorandum containing the amendments which the Commissioners are prepared to make in the Scheme for the Gwyn and Young Endowments was drawn up for submission to the existing Governing Bodies.

The Commissioners adjourned.

JOHN NAISH,

January 11, 1890.

Wm. Edward Ellis, Secretary.

January 3, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Professor DOUGHERTY.

Letters read:—

George Macle (Dec. 28), stating he will act as a Governor of the Philaborough Sunday and Daily Schools, Dublin.

Thomas Laffin, M.A. (Dec. 29), as to the Scheme for the Catholic Corporation School Endowments.

Rev. J. B. Keene (Dec. 27 and 30), as to the revised Scheme for the Parochial Schools of the Diocese of Meath.

Rev. W. Moore Morgan, M.D. (Jan. 1), enclosing Schedule of Parochial Schools of the Diocese of Armagh.

Letters also read:—

Right Hon. Viscount De Vesci (Dec. 29), as to the Ballyroan Endowed School.

Rev. Joseph J. Quinn (Dec. 30), as to the Saltore Endowment to the inhabitants of Magherafelt.

Replies, as already sent by direction of Lord Justice FitzGibbon, approved.

Letters also read:—

Rev. Edward Irwin (Dec. 21), Head Master, Bishop Hodson's Grammar School, Elphin, as to his vested interests.

Rev. T. L. Hill (Dec. 23), as to the Newborough National School, Diocese of Cork.

M. B. Cusack (Dec. 20), as to the Ballyroan Endowed School.

Rev. William J. Clarke (Dec. 26), as to the Scheme for the Villiers Charitable Institutions, Limerick.

Very Rev. the Dean of Elphin (Dec. 27), as to the Scheme for Bishop Hodson's Grammar School, Elphin.

Replies, as drafted, ordered to be sent.

Questions regarding the Scheme for the Gwyn and Young Endowments, Londonderry, were discussed.

The Commissioners adjourned.

JOHN NAISH,

January 11, 1890.

Wm. Edward Ellis, Secretary.

January 10, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON.

Letter (Jan. 2) read from Rev. H. K. Moore, Honorary Secretary, Sub-Committee of Standing Committee of the General Synod, with regard to Diocesan Schemes.

A reply, as drafted, ordered to be sent.

Letter (Jan. 4) read from the Secretaries, Commissioners of Charitable Donations and Bequests, enclosing statement of Rev. John Wilkinson, Ballysax, as to Dr. Tew's Charity; also letter (Jan. 6) read from Rev. John Wilkinson with reference to same.

Ordered:—That a Scheme be prepared for the above Charity, and that the Rev. Mr. Wilkinson be informed of same.

JOHN NAISH,

January 11, 1890.

Wm. Edward Ellis, Secretary.

January 11, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Lord Justice NAISH, Rev. Dr. MOLLOY,
Professor DOUGHERTY.

Minutes of the two preceding meetings and of the Stated Attendance of January 10, were read and confirmed.

Letters read:—

M. S. Cassin (Jan. 6) as to the Ballyroan Endowed School.

Rev. J. Canice Cotter (Jan. 9) as to the Scheme signed for the Southwell Endowment, Kinsale.

Questions with regard to the Scheme for the Gwyn and Young Endowments, Londonderry, were discussed, and the Scheme was finally passed, to be printed and sent for signature to Judicial Commissioners on Tuesday next.

The Commissioners adjourned.

GERALD FITZGERDON,

January 14, 1890.

Wm. Edward Kille, Secretary.

January 14, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the preceding meeting read and confirmed.

Letter (Jan. 13) read from Messrs. F. and K. Reid, Solicitors, enclosing Statutory Declaration made by John Cooke and Joseph Cooke, Trustees of the Young Endowment, Londonderry, accounting for the funds of the Endowment up to January 3, 1890.

Letter (Jan. 13) read from C. Sheldon, on behalf of the Congregational Union of Ireland, as to certain changes made by direction of the Lord Lieutenant in Council in the Scheme for the Ulster Royal School Endowments.

Reply, as drafted, ordered to be sent.

Letters read:—

Robert Gregg, Solicitor [Jan. 13] asking that a certain document relating to the High School for Girls, Cork, be returned.

Rev. David Wilson, D.D., asking that a book containing copies of Wills, &c., relating to Villiers Institutions, Liverich, be returned.

Ordered:—That the above requests be complied with.

With reference to the Erasmus Smith Endowment, the Commissioners directed the insertion upon the minutes of the following memorandum brought up by Lord Justice Naish:—

On proceeding in October last to consider the case of Erasmus Smith's Endowments, both the Judicial Commissioners were of opinion—subject to the result of any further discussion which might take place on the public hearing of objections to the Draft Scheme when published—that the Endowments in question were of private origin; that it was the intention of the founder that the Schools and their government should be Protestant in their character, and that the Draft Scheme should be settled on this basis. The Rev. Dr. Molloy, one of the Assistant Commissioners, did not think that the Endowments should be treated by the Commission, as intended exclusively for the benefit of Protestants.

The Judicial Commissioners also found that there was another vital question in connection with the Endowments, viz. —whether the Governing Body of the Endowments was to consist exclusively of members of the late Established Church, and it appeared certain that this question would give rise to objections, which should be heard and determined by the Judicial Commissioners.

Under these circumstances Lord Justice Naish, who found himself, from ill-health, unable to continue to act on the Commission, considered that he ought not to proceed further with the settlement of the Draft Scheme, as he would not be able to take part in the determination of any matter of objection, nor in the final settlement of the Scheme. He, therefore, felt that it would be more proper to leave the entire matter to be disposed of, and the Scheme to be finally settled, by the Commissioners, who would have charge of it all through.

The consideration of the Scheme was, therefore, adjourned, and Lord Justice Naish continued to act for such further short space of time only as enabled the Commission to dispose of such draft and final Schemes as had already been substantially settled.

With reference to the Draft Scheme dealing with the Endowments of the Incorporated Society, it was ordered that provisions be inserted in the Scheme giving the Governing Body power, but without making it obligatory on them, to devote the Endowments, or such part of them as they may think fit, towards the promoting of Technical Education—the necessary amendments and clauses to be settled and then brought up for consideration, and that the Draft Scheme so amended be passed.

The Commissioners adjourned.

GERALD FITZGIBBON,

Wm. Edward Ellis, Secretary.

January 25, 1890.

January 25, 1890.

Meeting of the Commission held this day at the Office, 25, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the preceding meeting read and confirmed.

Letter received by the Secretary from the Right Honorable Lord Justice Naish was read, and a reply, as drafted, directed to be sent. Directions were given to have the letter and the reply entered in the minutes as follows:—

"65, Mountjoy Square, W.,

"Dublin, Jan. 21, 1890.

"DEAR MR. ELLIS,

"Would you kindly inform the Commission that, having tendered my resignation of the office of Judicial Commissioner under the Educational Endowments (Ireland) Act, 1883, His Excellency has been pleased to accept it.

"As no doubt the Commissioners are already aware, I have taken this course in consequence of finding myself in delicate health, and being obliged to reside abroad for some time, and for no other reason.

"Would you also convey to Lord Justice FitzGibbon and the Assistant Commissioners my sincere thanks for the very kind and kindred I have experienced at their hands, and which rendered the discharge of duties, which would otherwise have been attended with much trouble, so very pleasant.

"I have also to thank you and Mr. Murphy for your attention and courtesy, and for the assistance so constantly rendered.

"Very truly yours,

"(Signed), JOHN NASH."

"Educational Endowments (Ireland) Commission,

"25, Nassau Street, Dublin,

"January 25, 1890.

"MY LORD JUSTICE,

"I have laid your letter of the 21st before the Commissioners at their meeting to-day, and I am directed by them to convey to you their deep regret that they are no longer to have the advantage of your services as their colleague.

"They earnestly hope that your health may be speedily restored.

"In place of receiving your thanks, which your kindness has dictated, they feel that they owe you an expression of their sense at once of the value of your assistance in the public interest, and of the constant and thoughtful consideration by which you have made their duties easy and agreeable, and have contributed to overcome the difficulties which attended the work of the Commission.

"Permit Mr. Murphy and myself to join cordially in the hope expressed by the Commissioners of your speedy restoration to health, and to add our best thanks for your kind personal remarks with regard to us.

"I am, my Lord Justice, your obedient servant,

"(Signed), WM. EDWARD ELLIS,

"Secretary.

"The Right Hon. Lord Justice Naish,

"65, Mountjoy Square, Dublin."

A letter was received before the meeting from Professor Dougherty, saying that he was unable to be present, but saying that he would cordially join in any expression of regret and of good wishes which may be offered to Lord Justice Naish.

Letters read :—

John Joseph Preston (Jan. 16), as to the Ballyroon Endowed School.

Herman Turpin (Jan. 17), as to the Ballyroon Endowed School.

Rev. George Tottenheim (Jan. 20 and 23), enclosing Schedules for the Clagher Diocesan Scheme.

Rev. H. Kingsmill Moore, M.A. (Jan. 24), sending Book containing particulars of Educational Endowments in the Diocese of Dublin, Kildare, and Glendalough.

The Under Secretary, Dublin Castle (Jan. 23), as to the presentation of the Annual Report of the Commissioners to the Lord Lieutenant.

Rev. J. B. Keane, M.A. (Jan. 21), as to the insertion of Forbairt School and its Endowment in the Meath Diocesan Scheme.

Thomas Luffus, as to the Scheme for the Castel Corporation School Endowments.

Letters also read :—

Joseph John Murphy (Jan. 15), enclosing resolution of the Diocesan Council of Down and Connor and Downmore, as to the preparation of a Scheme for three Dioceses.

Rev. H. Kingsmill Moore, M.A. (Jan. 18), enclosing resolution of Education Sub-Committee of the Standing Committee of the General Synod, as to the Ferns Diocesan Scheme.

G. Sholder (Jan. 22), on behalf of the Congregational Union of Ireland, as to the Amended Scheme for the Ulster Royal School Endowments.

Replies, as drafted, ordered to be sent.

The Commissioners adjourned.

ANTHONY TRAILL,

January 29, 1890.

Wm. Edward Ellis, Secretary.

January 29, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the preceding meeting read and confirmed.

Letters read :—

Rev. Godfrey G. Greene (Jan. 27), as to a Scheme for the Endowed Schools, New Ross.

The Most Rev. Dr. Nulty, Lord Bishop of Meath (Jan. 26), addressed to Dr. Molloy, with respect to Arthur Smith's Endowment, Co. Westmeath.

Replies, as drafted, ordered to be sent.

The Commissioners adjourned.

J. B. DOUGHERTY,

February 7, 1890.

Wm. Edward Ellis, Secretary.

February 1, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Rev. Dr. MOLLOY.

Letters read :—

John Davis White (Jan. 31) as to the Scheme for the Castel Deanery Schools.

Rev. John Kingham (Jan. 28), as to the Scheme for the Presbyterian Sabbath School Society.

Replies, as drafted, ordered to be sent.

The Secretary was directed to prepare for the Commission a tabulated statement of the pending business :—

1. Schemes published, but pending.
2. Schemes ordered for preparation.
3. Endowments as to which Schemes have been completed, and in which the next step in the preparation of a Scheme.
4. Endowments as to which further enquiries are necessary.

The Heads of a Scheme for the Arthur Smith Endowment were agreed to, and the Secretary was directed to write to the Most Rev. Dr. Nulty, Bishop of Meath, in terms as drafted with regard to same.

The Draft Scheme for the Carysfort Royal School Endowment was considered.

It was ordered:—

That the arrangements already made as to stated meetings of the Commission should continue until further order, viz. :—Stated attendance on Wednesdays at 3.30 o'clock, p.m., meetings on Fridays at 4 o'clock, p.m., and on Saturdays at 12 o'clock.

J. B. DOUGHERTY,

February 7, 1890.

Wm. Edward Ellis, Secretary.

February 5, 1890.

Stated attendance of the Commissioners held this day at the office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read:—

Rev. John Kingham as to the Scheme for the Presbyterian Sabbath School Society.

Rev. Thomas Murphy, R.P. (Feb. 4), as to Anne Hall's Endowment and Lattone School, County Fermanagh.

Thomas J. Bayth, Secretary, Cavan Select Vestry (Feb. 1), as to the Scheme for the Ulster Royal School Endowments.

Letter (Feb. 1), read from Messrs Crawford and Lockhart, Solicitors, Belfast, asking the Commissioners to prepare a Scheme for the Endowments under the Will of the late Hugh Henry Boyd.

Reply, as drafted, ordered to be sent.

The tabulated statement of the work of the Commission already done and remaining to be done was submitted, as drawn up by the Secretary, and approved.

J. B. DOUGHERTY,

February 7, 1890.

Wm. Edward Ellis, Secretary.

February 7, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting, and of the stated attendances of February 1 and February 5, read and confirmed.

The Secretary was directed to write to the agent of the Marquess of Downshire for particulars of the site of the Anshilt Endowed School.

The Commissioners adjourned.

ANTHONY TRAILL,

February 8, 1890.

Wm. Edward Ellis, Secretary.

February 8, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letter (Feb. 5), read from Rev. James Dowd, Secretary, Limerick Diocesan Council, enclosing Forms of Consent for certain endowments in that Diocese.

With regard to Anne Hall's Endowment for the Lattone or Slieveahun National School, County Fermanagh, the Secretary was directed to write in terms, as drafted, to Caledon Dolling, Esq., 11, Mountjoy-square, Dublin, agent over the property on which the School is situated, asking him to give any particulars of the case within his knowledge.

The Commissioners adjourned.

GERALD FITZGIBSON,

February 14, 1890.

Wm. Edward Ellis, Secretary.

February 12, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. TRAILL.

Letter (Feb. 10) read from R. C. MacOnloch, Collegiate School, Monaghan, as to the number of pupils who passed the Intermediate Examinations of 1889 from that School.

The Draft Scheme for the Ballynax Parochial School and for the Mount Alexander School and Admiral Leslie's Free School, Donaghadee, were considered.

GERALD FITZGIBSON,

February 14, 1890.

Wm. Edward Ellis, Secretary.

February 14, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBSON, Dr. TRAILL.

Minutes of preceding meeting, and of the stated attendance of February 12, read and confirmed.

Letters read :—

The Under-Secretary, Dublin Castle (Feb. 7), enclosing Warrant of His Excellency the Lord Lieutenant appointing the Hon. Mr. Justice O'Brien, a Judicial Commissioner under the Educational Endowments (Ireland) Act, in the place of the Right Hon. Lord Justice Naish, resigned.

Rev. W. Moore Morgan, LL.D. (Feb. 13), sending the name of the Rev. Augustine FitzGerald, B.D., Incumbent of Portadown, to be substituted for that of the Rev. Benjamin Wade, deceased, on the proposed Governing Body for the Parochial Schools of the Diocese of Armagh.

Letter (Feb. 9) read from Thomas Laffan, M.D., as to the Scheme for the Carbal Corporation School Endowment.

Reply, as drafted, ordered to be sent.

The Commissioners adjourned.

GERALD FITZGIBSON,

February 15, 1890.

Wm. Edward Ellis, Secretary.

February 15, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBSON, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letters read :—

The Clerk of the Privy Council [Feb. 14] enclosing the objections lodged against the Amended Scheme for the Ulster Royal School Endowments, and asking for observations of the Commissioners thereon.

The Clerk of the Privy Council (Feb. 14) enclosing the objections lodged against the Scheme for the Gliscan Schools, Oldcastle, and asking for observations of the Commissioners thereon.

Letter (Feb. 14) read from Caledon Dolling, Esq., as to the Anne Hall Endowment for Lettice or Slievehan School, County Fermanagh.

Reply, as drafted, ordered to be sent.

The Commissioners adjourned.

WILLIAM O'BRIEN,

February 21, 1890.

Wm. Edward Ellis, Secretary.

A

February 19, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY.

Letters read:—

Major Henry S. McClintock (Feb. 17), sending particulars of the site of the Anahilt Endowed School.

Messrs. T. T. Moore & Son, Solicitors (Feb. 18), as to the Scheme for Morgan's School, Castleknock.

Letter (Feb. 18) read from Rev. S. Gardiner, as to the Camus and Clontarf Schools, and asking for an "Extract" from the Will of Joseph Bennett, lodged by him with the Commission, relating to the Schools.

Ordered:—

That the "Extract" be furnished, as requested.

Letters also read:—

John Mulholland, Esq., M.P., as to the Scheme for the Southwell Charity, and the Parochial Schools, Downpatrick.

Herbert Taylor, Her Majesty's Stationery Office (Feb. 17), with regard to copies of former Reports of the Commission asked for in demand, dated 14th instant.

Replies, as drafted, ordered to be sent.

The Commissioners communicated to Mr. Justice O'Brien, the newly appointed Judicial Commissioner, general information as to the state of the business of the Commission.

WILLIAM O'BRIEN,

February 21, 1890.

Wm. Edward Ellis, Secretary.

February 21, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting, and of the stated attendance of February 19, read and confirmed.

Letters read:—

Rev. James Dowd, Secretary, Diocesan Council of Limerick (Feb. 20), enclosing some consents for Schools in that Diocese.

The Secretary, Public Record Office, England (Feb. 20), stating that Wills will be obtained from Somerset House, London, and not from that Department.

Rev. J. M. Hamilton, Clerk of the Dublin Presbytery (Feb. 21), asking if an addition can be made to the Scheme for the Dublin Presbytery, now before the Privy Council.

Points in connection with the Donaghadee Free Schools were considered.

The Heads of a new Draft Scheme for Morgan's School, Castleknock, were discussed.

The Commissioners adjourned.

WILLIAM O'BRIEN,

February 28, 1890.

Wm. Edward Ellis, Secretary.

February 22, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The Draft Scheme for the Anahilt Endowed School was considered.

Questions with regard to the Draft Scheme for the Donaghadee Free Schools were discussed.

The Commissioners adjourned.

WILLIAM O'BRIEN,

February 23, 1890.

Wm. Edward Ellis, Secretary.

February 26, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read :—

Rev. William Irwin, Clerk of Orlanau Presbytery (Feb. 24) as to sending Schedule of Endowments in that Presbytery.

Cathleen Doling (Feb. 24) as to Anne Hall's Endowment for Lattane School, Co. Fermanagh.

The Clerk of the Privy Council (Feb. 25) enclosing the Objections lodged against the Scheme for the Southwell Charity, and the Parochial Schools, Downpatrick, and asking for observations of the Commissioners thereon.

Letter (Feb. 24) read from the Most Rev. Dr. Donnelly, Lord Bishop of Clogher, as to present stage of the Scheme for the Ulster Royal School Endowments.

Reply, as drafted, ordered to be sent.

WILLIAM O'BRIEN,

February 28, 1890.

Wm. Edward Ellis, Secretary.

February 28, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of two preceding meetings, and of the stated attendance of February 26, read and confirmed.

Letter (Feb. 27) read from Messrs. Laurence Graham and Long, Solicitors, London, enclosing copy of the Will of Laurence Gilson.

Letter (Feb. 27) read from Rev. Peter Fagan, P.P., Rochfortbridge, as to the present stage of the Scheme for the Sheil Charity, Rochfortbridge.

Reply, as ordered, to be sent.

The Draft Scheme for the Donaghadee Free Schools, was considered and passed.

The Commissioners adjourned.

GERALD FITZGERBON,

March 1, 1890.

Wm. Edward Ellis, Secretary.

March 1, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting were read and confirmed.

Letter (Feb. 27) read from Daniel Delacherols, D.L., sending particulars as to Admiral Leslie's Free School, Donaghadee.

Letter (Feb. 28) read from the Secretaries, Commissioners of Charitable Donations and Bequests, as to the Chatwode and Stearne Charity for the purpose of apprenticing Protestant Boys in the County of Meath.

Reply, as drafted, ordered to be sent, and the Secretary was directed to forward a copy of the letter from the Commissioners of Charitable Donations and Bequests to the Secretary of the Meath Diocesan Council, stating that it would appear possible that the administration of the Endowment in question may be entrusted to the proposed Diocesan Body, and asking him to bring same before his Diocesan Council, and to furnish the Commissioners with observations on the subject.

Letter read from the Honorary Secretaries, Irish Industrial League, asking for copy of any evidence taken with regard to Anne Hall's Endowments for Agricultural Education.

Reply, as drafted, ordered to be sent.

The Secretary was directed to write in terms, as drafted, to Messrs. Laurence, Graham and Long, Solicitors, stating that the Commissioners would be obliged if they would state from the documents in the suit for the administration of Laurence Gilson's affairs, or from any other information in their possession, to what religious denomination he belonged.

Instructions were given with regard to the preparation of the Draft Scheme for Morgan's School, Castleknock.

The Commissioners adjourned.

GERALD MOLLOY,

March 14, 1890.

Wm. Edward Ellis, Secretary.

March 5, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Letter (March 2) read from Rev. J. Renshaw, as to the Kinsey Fund being included in the Scheme for the Endowments for the Diocese of Meath.

Reply, as drafted, ordered to be sent.

The Observations on the Objections lodged with the Privy Council to the Amended Scheme for the Ulster Royal School Endowments were considered.

GERALD MOLLOY,

March 14, 1890.

Wm. Edward Ellis, Secretary.

March 6, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

Letters read:—

The Most Rev. Dr. Nulty, Lord Bishop of Meath (March 4), as to the Arthur Smith Endowment.

Messrs. Laurence Graham and Long, Solicitors (March 4), as to the Scheme for Gilson Schools, Oldcastle.

The Secretaries, Commissioners of Charitable Donations and Bequests (March 4), as to the Clotwode and Searns Charity.

Rev. Geo. Tottenham (March 5), sending Schedule for a Scheme to be prepared for the Parochial Schools of the Diocese of Clogher.

The Observations on the Objections lodged with the Privy Council against the following Schemes were considered:—

No. 34. Ulster Royal School Endowments (Amended Scheme).

No. 56. The Gilson Schools, Oldcastle.

No. 74. The Southwell Charity and the Parochial Schools, Downpatrick.

No. 79. Joseph Brown's Endowments, Co. Down.

It was ordered:—

That the above Objections and Observations be printed, to be finally passed by the Commission as soon as possible, and signed for press.

The following Schemes were ordered for publication on Monday, April 14, each to be prepared for publication as soon as possible:—

No. 3. Morgan's School, Castleknock.

No. 80. Anshilt Endowed School.

No. 81. D'Iersell's School, Rathvilly.

No. 82. Donaghadee Free Schools.

No. 83. The Endowments of and belonging to Congregations under the care of Presbytery of Ballymena.

No. 84. The Endowments of and belonging to Congregations under the care of Presbytery of Newry.

No. 85. The Carrystown Royal School Endowment.

No. 86. Arthur Smith's Endowment.

No. 87. Ballyvaughan Parochial School.

No. 88. The Parochial Schools of the Diocese of Armagh.

The Secretary was directed to write in terms, as drafted, to Sir Patrick Maxwell, Solicitor to the Commissioners of Charitable Donations and Bequests, asking if it

would be convenient for him to attend a Sitting in Dublin on Thursday, April 10, 1890, with reference to—

The Charlton Bequest, Co. Meath.
Roger Palmer's Bequest, Lusk, Co. Dublin.
Clotwode and Stearne's Charity, Co. Meath.

The Secretary was also directed to write to W. G. Brooks, Esq., M.A., Chief Clerk to the Lord Chancellor, and to William Bond, Agent over the Estate, asking if it would be convenient for them to attend on the above date with reference to the Charlton Bequest.

The Secretary was also directed to write to the following persons:—

The Most Rev. Dr. Reichel, Lord Bishop of Meath,
The Most Rev. Dr. Nulty, Lord Bishop of Meath,
The Most Rev. Dr. Woodlock, Lord Bishop of Ardagh,
The Right Rev. Dr. Sheen, Lord Bishop of Kilmore,
The Secretary, Meath Diocesan Council,
The Secretary, Ardagh Diocesan Council,

asking if it would be convenient for them to attend a sitting in Navan with reference to the Charlton Bequest on Friday, April 11, 1890, and whether any other inquiry at any other time or place would be desirable, and as to the names and addresses of those who would be best able to inform the Commissioners as to the working of the Charity.

A letter was also directed to be written to the Dean of Clonmacnoise, asking if it would be convenient for him to attend the Sitting in Navan on April 11, 1890, with reference to the Clotwode and Stearne Charity.

The Commissioners adjourned.

GERALD MOLLOY,
March 14, 1890.

Wm. Edward Ellis, Secretary.

March 7, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

Letters read:—

Messrs. William Mooney and Son, Solicitors (March 5) as to Arthur Smith's Endowment.
Messrs. Hare and Co., Solicitors (March 6), as to the Scheme for the Gilson Schools, Oldcastle.

The Observations on the Objections lodged with the Privy Council against the following Schemes were considered and amended:—

No. 34. Ulster Royal School Endowments (Amended Scheme).
No. 56. Gilson Schools, Oldcastle.
No. 74. Southwell Charity and the Parochial Schools, Downpatrick.
No. 78. Brown's Endowments, Co. Down.

The Commissioners adjourned.

GERALD MOLLOY,
March 14, 1890.

Wm. Edward Ellis, Secretary.

March 12, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Dr. TRAILL.

Letters read:—

Right Rev. Dr. Gregg, Lord Bishop of Cork (March 10), as to the Scheme for Rochelle Seminary, Cork.

Rev. C. O'mahy Wiley (March 11), as to the preparation of a Scheme for the Parochial Schools of the Diocese of Killala and Achary.

Replies, as drafted, ordered to be sent.

Letter (March 9) read from W. G. Brooks stating he cannot attend the Sitting fixed for April 10 with reference to the Charlton Bequest, Co. Meath.

The Observations on the Objections lodged with the Privy Council against the Scheme for the Southwell Charity and the Parochial Schools, Downpatrick, were amended and ordered for press.

GERALD MOLLOY,
March 14, 1890.

Wm. Edward Ellis, Secretary.

March 14, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the three preceding meetings and of the Stated Attendances of March 5 and March 12 were read and confirmed.

Letter (Mar. 11) read from Rev. Andrew Patton as to a Scheme for the Presbytery of Ballymena, and stating that the Rev. John Gibson should be communicated with on the subject.

The Draft Scheme for the Carysfort Royal School Endowment was considered, and certain points were reserved for the consideration of the Commissioners when the Judicial Commissioners return.

It was ordered:—

That a copy of these points should be made and sent to each of the Commissioners, with the Scheme, three clear days before the meeting at which they are to be considered.

The Commissioners adjourned.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 17, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read:—

Messrs. Haas & Co., Solicitors (Mar. 3), as to the Scheme for the Gilson Schools, Oldcastle.

The Secretaries, Commissioners of Charitable Donations and Bequests (Mar. 4), as to the proposed Sitting in Dublin on April 10, 1890, with reference to the Charlton Bequest, Roger Palmer's Charity, and the Chetwode and Stuarde Charity.

Letter (Mar. 13) read from C. J. Battersby, Secretary of Ardlagh Diocesan Council, as to the proposed Sitting at Navan on April 11, 1890, with reference to the Charlton Bequest, and suggesting a Sitting at Longford.

Reply, as drafted, ordered to be sent.

The Draft Scheme for the Arthur Smith Endowment was considered.

The Observations on the Objections lodged with the Clerk of the Privy Council against the Amended Scheme for the Ulster Royal School Endowments and the Scheme for the Gilson Schools, Oldcastle, were brought up and approved.

Dr. Trill stated that he wished to make separate Observations on these two Schemes.

It was agreed:—

That Dr. Trill's Observations should be printed and forwarded to the Privy Council with the other Observations; and that copies of the Observations be sent to the Commissioners beforehand.

The Commissioners adjourned.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 19, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letter (March 18), read from Rev. James Meeko, as to the Scheme for the Presbytery of Newry.

Letter (March 19), read from the Clerk of the Privy Council, enclosing the Objections lodged with the Privy Council against the Schemes for the following Endowments, and asking for the observations of the Commissioners thereon:—

No. 24. Gwyn's Charitable Institution, and Joseph Young's Charity, Londonderry.

No. 29. The Philsbrough Sunday and Daily Schools, Dublin.

No. 46. Kilkenny College.

No. 48. Balmey School, Magherafelt.

No. 53. The Parochial Schools of the Diocese of Meath; the Preston School, Navan, and other Endowments in the Diocese of Meath.

No. 59. The Cuskel Corporation School Endowments.

No. 60. The Cuskel Deanery Schools.

No. 65. The Parochial Schools of the Diocese of Cork, Cloyne, and Ross, Bishop Crowe's School, Cloyne; and other Endowments in the Diocese of Cork, Cloyne, and Ross.

No. 75. The Parochial Schools of the Diocese.

Letter [March 18] read from the Secretary of the Treasury as to refunds for the cost of publishing and circulating Draft Schemes from Governing Bodies of Endowments for which such Schemes have been framed by the Commissioners.

Reply, as drafted, ordered to be sent.

The Observations on the Objections lodged with the Clerk of the Privy Council against the Scheme for the Gilson Schools, Oldcastle, were finally approved and ordered for press.

The Observations on the Objections lodged with the Clerk of the Privy Council against the Amended Scheme for the Ulster Royal School Endowments were finally approved, subject to Professor Dougherty's observations.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 21, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read:—

The Most Rev. Dr. Reichel, Lord Bishop of Meath (March 20), as to the proposed Sitting at Navan, with reference to the Charlton Bequest.

The Right Rev. W. Pakenham Walsh, D.D., Lord Bishop of Cuskel (March 19), as to D'Israeli's School, Rathvilly.

Letters also read:—

Most Rev. Dr. Woodlock, Lord Bishop of Ardagh (Mar. 20), as to the proposed Sitting at Navan, on April 11, 1890, with reference to the Charlton Bequest, and suggesting a Sitting at Longford.

Thomas Kough, Secretary, Diocesan Council of Cuskel (March 20), enclosing a Schedule for the proposed Scheme for the Parochial Schools of the Diocese of Cuskel.

Replica, as drafted, ordered to be sent.

The Observations on the Objections lodged with the Clerk of the Privy Council against the Amended Scheme for the Ulster Royal School Endowments were amended and approved, subject to a final proof being submitted.

The Secretary was directed to return to the Clerk of the Privy Council the original Objections lodged with the Privy Council against the Schemes for the following Endowments:—

No. 34.—The Ulster Royal School Endowments, &c. [Amended Scheme];

No. 58.—The Gilson Schools, Oldcastle;

No. 74.—The Southwell Charity and the Parochial Schools, Downpatrick;

No. 79.—Joseph Brown's Endowments, County Down;

together with printed copies of the Observations of the Commissioners, and also to send printed copies of the Objections and Observations in each case to the parties interested.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 24, 1890.

On this day Dr. MOLLOY attended at the Office, 23, Nassau Street, Dublin, and transacted the following business:—

Letter (Mar. 22) read from the Very Rev. Thomas Heed, S.J., as to the Mungret Endowment, Limerick.

To be informed that his letter will receive the careful consideration of the Commissioners.

Letter (Mar. 23) read from Rev. H. R. Carter, D.D., as to the Royal School Exhibitions.

Reply, as drafted, ordered to be sent.

Instructions were given to have an advertisement of the Public Meetings to be held on April 10 in Dublin, and on April 11 at Navan, inserted in the Dublin newspapers.

It was ordered:—

That all the Objections to Schemes, received from the Clerk of the Privy Council, be sent to the printer.

That the Observations on the Objections to the Scheme for the Cuskel Corporation School Endowments, as drafted, be sent to the printer.

That when the above Objections have been printed, proofs to be sent to each of the other Assistant Commissioners having charge of the Schemes, respectively, with a letter stating that Dr. Molloy has drafted answers to the objections lodged against the Scheme for the Cuskel Corporation School Endowments of which he had charge, and that perhaps Professor Dougherty and Dr. Traill would like to draft the answers in the cases sent to them respectively.

Dr. Molloy undertook to draft the observations on the objections lodged against the Scheme for the Rainey School, Magherafelt.

The Secretary was directed to apply to Messrs. T. T. Moriarty & Son for a formal description of the money and lands comprised in the Morgan School Endowment.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 25, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letter (Mar. 24) read from the Most Rev. Dr. Nulty, Lord Bishop of Meath, as to the inquiry at Navan in reference to the Charlton Bequest, and also stating that the Hevey Trustees have undertaken the management of Arthur Smith's property.

Reply, as drafted, ordered to be sent.

The Draft Scheme for the Arthur Smith's Endowment was considered, and the Secretary was directed to draft a new clause for the Governing Body, in which, according to Dr. Nulty's suggestion above, the Hevey Trustees should be incorporated.

The Draft Scheme for Morgan's School, Castlakenock, was considered, and ordered to be sent to the printer; copies to be sent to the Commissioners before their next meeting.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 28, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read:—

Rev. Joseph J. Quinn (Mar. 26) as to the Roman Catholic portion of the Salters Endowment mentioned in the Scheme for the Rainey School, Magherafelt.

Joseph J. Murphy, Secretary, Diocesan Council of Down, Connor, and Downpatrick (Mar. 27), as to the Schedules for the Scheme to be prepared for the Parochial Schools of those Dioceses.

Replies, as drafted, ordered to be sent.

The new clause for the Governing Body of the Arthur Smith Endowment, as drafted by the Secretary, was approved, and the Secretary was directed to write for a copy of the Will of James Hevey, dated December 17, 1833.

WILLIAM O'BRIEN,

April 9, 1890.

Wm. Edward Ellis, Secretary.

March 31, 1890.

On this day Dr. MOLLOY attended at the Office, 23, Nassau Street, Dublin, and transacted the following business:—

The Secretary was directed to insert on the minutes the following statement regarding a communication received from the Castle on March 29, 1890.

On that day a telegram having been forwarded from the Castle to this Office, which had been received from the Irish Office, London, asking for a report upon a question with regard to the Scheme for the Erasmus Smith Endowment, proposed to be asked by Mr. John O'Connor, M.P., on Monday, March 31, Dr. Molloy drafted a report incorporating the minute of January 14, 1890, with reference to this Endowment, and directed that same should be forwarded to the Irish Office, and that an intimation be, at the same time, sent to the Castle.

It was ordered:—

That the Draft Scheme for the Arthur Smith Endowment be sent to the printer, with a view to the clause dealing with the new Governing Body being incorporated.

WILLIAM O'BRIEN,
April 9, 1890.

Wm. Edward Ellis, Secretary.

April 2, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read from:—

Messrs. William Mooney and Son, Solicitors (April 1), as to the Scheme for the Arthur Smith Endowment.

Joseph J. Murphy (April 1), as to the Schedules to the proposed Scheme for the Parochial Schools of the Diocese of Down, Connor, and Dromore.

Letter (Mar. 31) read from Messrs. Lawrence, Graham and Long, Solicitors, as to the Scheme for the Gilson Schools, Oldcastle.

Reply ordered to be sent, thanking them for their letter, and enclosing a copy of the Observations on the Objections to the above Scheme.

The names of the proposed Governing Body for the Parochial Endowments of the Diocese of Derry, and a Schedule of such Endowments, were submitted as handed in by the Rev. H. Kingsmill Moore on April 1, on behalf of the Rev. Canon Babington.

The Secretary was directed to get the information in the same form as in the other Diocesan Schemes.

Letter (Mar. 31) read from Edward C. Hamilton, Secretary to the Morgan Trustees, giving particulars as to the Morgan School Endowments.

The Secretary was directed to ask Mr. Hamilton for a further description of the lands constituting the Endowments.

WILLIAM O'BRIEN,
April 9, 1890.

Wm. Edward Ellis, Secretary.

April 9, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FRYGIBSON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the two preceding meetings and of the stated attendances of March 19, March 21, March 25, March 28, and April 2, and of Dr. Molloy's attendances of March 24 and 31, read and confirmed.

The Observations on the Objections lodged with the Privy Council against the following Schemes:—No. 18, Rainey School, Magherafelt, and No. 59, The Cabhal Corporation School Endowments, were considered.

The Commissioners adjourned.

WILLIAM O'BRIEN,
April 12, 1890.

Wm. Edward Ellis, Secretary.

April 10, 1890.
PUBLIC SITTING.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Mr. F. H. Wayland, Shorthand Writer, was in attendance.

Lord Justice FitzGibbon made an introductory statement.

THE CHARLTON BEQUEST FOR MARRIAGE PORTIONS.

Mr. J. M. Maxwell, Solicitor to the Commissioners of Charitable Donations and Bequests, appeared on their behalf.

Rev. James R. Keen, M.A., attended on behalf of the Diocesan Council of Meath.

William Gernon, M.A., Secretary, Commissioners of Charitable Donations and Bequests, made a statement.

The following witnesses were sworn and examined:—

J. M. Maxwell, Solicitor.

William Bond, Receiver over Estate.

James W. Bond, D.L., made a statement.

ROGER PALMER'S CHARITY, RUSH, COUNTY DUBLIN.

Mr. J. J. Clancy (instructed by C. Friery, Solicitor), appeared for the householders of Rush.

William Gernon, M.A., Secretary, Commissioners of Charitable Donations and Bequests, made a statement.

J. J. Clancy Esq., M.P., made a statement.

The following witnesses were sworn and examined:—

Rev. Francis O'Carroll, P.P., Rush.

Rev. Dunby Jeffries, M.A., Rector of Lusk.

Mr. Thomas Andrews,

Mr. Edward Tyne,

M. Augustine Kerrigan,

Mr. Christopher McConn,

Mr. Robert Leonard,

} Householders of Rush.

It was ruled:—

That the Commissioners, having heard the evidence as regards this endowment, do not consider it necessary or expedient to take any further proceedings in regard to same for the preparation of a Scheme under their Act.

THE CHREIWOODE AND STEARNE CHARITY.

Arnold Graves, M.A., Secretary, Commissioners of Charitable Donations and Bequests, attended and made a statement.

The Commissioners adjourned.

WILLIAM O'BRIEN,

April 12, 1890.

Wm. Edward Ellis, Secretary.

April 11, 1890.
PUBLIC SITTING.

Meeting of the Commission held this day at the Courthouse, NAVAN.

Present:—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Mr. F. H. Wayland, Shorthand Writer, was in attendance.

THE CHARLTON BEQUEST FOR MARRIAGE PORTIONS.

Lord Justice FitzGibbon made an introductory statement.

The following persons made statements:—

Most Rev. Dr. Reichel, Lord Bishop of Meath.

Rev. J. B. Keene, M.A.

Ven. Garrett Nugent, M.A., Archbishop of Meath.

Rev. John Healy, D.D.

Rev. M. Woods, Adm., Navan.

The following witnesses were sworn and examined :—

— Smith.
 Matt Keegan.
 William McMahon.
 James Conlin.
 Michael Carr.
 Laurence Coffey.
 Edward Smith.
 Mary Reilly.
 Margaret Martin.
 James Gorman.
 William Lee.
 George Larraway.
 John Reilly.

THE CHETWODE AND STEARNE CHARITY.

Ven. Garrett Nugent, M.A., Archdeacon of Meath, made a statement.

The Commissioners adjourned.

WILLIAM O'BRIEN,
 April 14, 1890.

N. D. Murphy,
 Chief Clerk and Assistant Secretary.

April 12, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
 Dr. TRAILL, Professor DOUGHERTY.

Minutes of the meetings of April 9 and April 10 read and confirmed.

Letter (April 11) read from Edward C. Hamilton, Secretary to Morgan Trustees, sending description of the lands comprising the Morgan Endowments.

Letter (April 4) read from Rev. S. R. Cooney, M.A., as to the Scheme for the Erasmus Smith's Endowment.

A reply, as drafted, ordered to be sent.

The Observations on the Objections lodged with the Privy Council against the following Schemes were considered and amended :—

No. 24. Gwyn and Young Endowments, Londonderry.
 No. 29. Phibsborough Sunday and Daily Schools, Dublin.
 No. 46. Kilkenny College.
 No. 55. Diocese of Meath Parochial Schools, &c.
 No. 59. Cashel Corporation School Endowments.

The Draft Schemes for the Carysfort Royal School Endowment, and for the Ballyvaughan Parochial School, were considered and amended.

The Secretary was directed to write to the Most Rev. Dr. Woodlock, Lord Bishop of Ardagh, stating in reply to his Lordship's telegram received at Navan, that the Commissioners propose to hold a Public Sitting in Longford in connection with the Charlton Bequest, and that due notice will be sent to his Lordship when the day for the Public Sitting is fixed.

The Commissioners adjourned.

GERALD FITZGERBON,
 April 12, 1890.

Wm. Edward Ellis, Secretary.

April 14, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Minutes of the meeting of April 11 read and confirmed.

Letter (April 11) read from D. Delacherois, B.L., sending a copy of the proposed Scheme for the Donaghadee Free Schools and his corrections thereon.

Ordered :—That the above corrections be carried out in the next proof of the Scheme.

The following Draft Schemes were considered and amended :—

- No. 80. Anahilt Endowed School.
- No. 81. D'Iasaili's School, Rathvilly.
- No. 82. Donaghadee Free Schools.
- No. 84. Presbytery of Newry.
- No. 85. Croydon Royal School.
- No. 86. Arthur Smith's Endowment.
- No. 8. Morgan's School, Castleknock.

It was ordered :—

That the batch of Schemes mentioned in the minute of March 6, 1890, be first published on Monday, April 28, 1890, and instructions were given as to the mode of publication.

The Commissioners adjourned.

GERALD FITZGIBBON,
April 19, 1890.

Wm. Edward Ellis, Secretary.

April 15, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Letter (April 15) read from Rev. M. Woods, Adm., Navan, enclosing two letters from the Master of the Navan Workhouse with reference to the Charlton Bequest.

Instructions were given to have an advertisement of a Public Sitting with reference to the Charlton Bequest for Marriage Portions, to be held on Friday, May 2, at 12.45 o'clock, p.m., at Longford, inserted in the Dublin and Longford newspapers, and that notice of same be sent to all parties interested.

GERALD FITZGIBBON,
April 19, 1890.

Wm. Edward Ellis, Secretary.

April 18, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Notice (April 16) read from the Clerk of the Privy Council fixing a Sitting of the Committee of the Privy Council for Friday, April 25, to hear the Objections lodged against the Schemes for the following Endowments :—

- No. 34. Ulster Royal School Endowments.
- No. 56. The Gilson Schools, Oldcastle.
- No. 74. The Southwell Charity and Parochial Schools, Downpatrick.
- No. 79. Joseph Brown's Endowments.

Letter (April 18) read from Wm. Gernon, M.A., Secretary to Commissioners of Charitable Donations and Bequests, as to the inquiry to be held at Longford, on May 2, with reference to the Charlton Bequest for Marriage Portions.

A reply, as drafted, ordered to be sent.

GERALD FITZGIBBON,
April 19, 1890.

Wm. Edward Ellis, Secretary.

April 19, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

Minutes of two preceding meetings and of the Stated Attendances of April 16 and April 18, read and confirmed.

Letters read :—

The Secretary, Representative Church Body (April 18), giving consent as to the Parochial Schools in the Diocese of Leighlin, being dealt with under the Act.

The Secretary, Representative Church Body (April 18), giving consent as to the Parochial Schools in the Diocese of Armagh and in the Dioceses of Down, Connor and Drumcree, being dealt with under the Act.

Letter (April 18) read from Rev. Thomas H. Fleming, as to the preparation of a Scheme for the Daniel Lyons Endowment (Rockfield Institution).

Reply, as drafted, ordered to be sent.

The Observations on the Objections lodged with the Privy Council against the following Schemes were considered and amended and finally passed :—

No. 29.—Fitzborough Sunday and Daily Schools, Dublin.

No. 48.—Edney School, Magherafelt.

No. 46.—Kilkenny College.

No. 55.—Diocese of Meath Parochial Schools, &c.

No. 60.—The Cusack Deanery Schools.

No. 66.—Dioceses of Cork, Cloyne and Ross Parochial Schools, &c.

No. 73.—Diocese of Ferns Parochial Schools.

The Draft Schemes for Anahilt Endowed School, Ballyear Parochial School and Caryfort Royal School Endowment, were considered, amended, and finally approved subject to the amendments, and to signature for press.

The Secretary was directed to return to the Clerk of the Privy Council the original Objections lodged with the Privy Council against Schemes Nos. 24, 29, 46, 48, 55, 59, 60, 66, and 73, together with printed copies of the Observations of the Commissioners, and also to send printed copies of the Objections and Observations in each case to parties interested.

The Commissioners adjourned.

GERALD FITZGERSON,

April 26, 1890.

Wm. Edward Ellis, Secretary.

April 23, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read :—

The Right Rev. W. Pakenham Walsh, D.D., Lord Bishop of Ossory (April 23), enclosing Report dated January 8, 1890, of Architect on Kilkenny College.

The Most Rev. Dr. Reichel, Lord Bishop of Meath (April 30), giving consent as to Christwode and Stearne Charity.

Rev. Andrew Patton (April 19) giving additional names for proposed Governing Body of the Endowments of the Presbytery of Ballymena.

GERALD FITZGERSON,

April 26, 1890.

Wm. Edward Ellis, Secretary.

April 25, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

Letter (April 23) read from Rev. W. Guinness, Rector of Rathdrum, enclosing memorial as to Caryfort Royal School Endowment.

Reply, as drafted, ordered to be sent.

GERALD FITZGERBON,
April 26, 1890.

Wm. Edward Ellis, Secretary.

April 26, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

Minutes of preceding meeting and of Stated Attendances of April 23 and April 25, read and confirmed.

The following Draft Schemes were passed and ordered for press:—

- No. 3. Morgan's School, Castleknock.
- No. 83. Caryfort Royal School Endowment.
- No. 86. Arthur Smith's Endowment.
- No. 88. The Parochial Schools of the Diocese of Armagh.

The Commissioners adjourned.

WILLIAM O'BRIEN,
May 3, 1890.

Wm. Edward Ellis, Secretary.

April 30, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
Dr. TRAILL.

Letters read:—

- H. R. Kincaid, Headmaster, Rainey School (April 26), as to the Scheme for that School.
- The Sub-Sheriff, County Longford (April 26), granting use of Courthouse for the Sitting to be held at Longford on May 2.
- The Clerk of the Privy Council, Dublin Castle (April 29), sending copy of the Scheme for the Bertram Female Orphan School, Dublin, as provisionally approved.

The following Schemes were ordered to be prepared for publication as soon as possible:—

- The Incorporated Society.
- The Ballyroan Endowment.
- The Bessinger Royal School Endowment, and the Endowments of Diocesan Schools remaining in hands of Commissioners of Education.
- The Mungret and Leamy Endowments.
- Midleton Endowed School.
- The Tate School, Wexford.
- The Parochial Schools of the Diocese of Clogher.
- The Parochial Schools of the Dioceses of Down, Connor, and Dromore.
- The Endowments of and belonging to Congregations under the care of the Presbytery of Ards.
- The Endowments of and belonging to Congregations under the care of the Presbytery of Coleraine.
- Anne Hall Endowments.

The Secretary was directed to ascertain at the Offices of the Commissioners of Education, 31, Molesworth-street, particulars necessary for recitals in the Scheme for the Diocesan School Endowments.

WILLIAM O'BRIEN,
May 3, 1890.

Wm. Edward Ellis, Secretary.

May 2, 1890.

PUBLIC SITTING.

Meeting of the Commission held this day at the Court-house, Longford.

Present :—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Andrew Dunlop, Shorthand Writer, was in attendance.

Lord Justice FitzGibbon made an introductory statement.

CHARLTON BEQUEST FOR MARRIAGE PORTIONS.

The Right Rev. William Shone, D.D., Lord Bishop of Kilmore, made a statement and was examined.

The following witnesses were sworn and examined :—

Rev. F. Fotterton, M.A., Rector of Templemore.

Lieut.-Col. J. H. Dopping.

Rev. Patrick Mookan, Adm., St. Mel's.

Harry McCann, J.P.

Rev. F. FitzGerald, P.R.

The following were examined, having been previously sworn :—

Rev. Hill Wilson White, D.D.

Captain William Bond.

James W. Bond, D.L., made a statement.

The Commissioners adjourned.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

May 3, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the Meeting of April 26 and of the Stated Attendance of April 30, read and confirmed.

Letters read :—

The Clerk of the Privy Council (April 30) giving notice of Sitting to be held on Friday, May 9, to hear the objections lodged against Schemes Nos. 24, 29, 45, 48, 55, 59, 60, 66, and 73.

Robert Philpot (May 2) as to the Draft Scheme published for the Carysfort Royal School Endowment.

Letter (May 1) read from J. M. Gillies, *Freeman's Journal* (Limited), as to cost of publication of advertisements issued by the Commission.

A reply, as drafted, ordered to be sent.

MUNGRET ENDOWMENT, LIMERICK.

It was agreed :—

That a Draft Scheme should be prepared for the future management of this Endowment on the following principles :—

I. Mungret premises to be sold to the present Lessees for £2,500.

II. This sum added to present capital to be made available for Agricultural Education in the City and County of Limerick.

III. A Board of Trustees consisting of the existing Trustees, a representative of the Corporation of Limerick, and a representative of the Limerick County Grand Jury, together with Lord Montagu and the Resident Commissioner of National Education, or his nominee, as in the Scheme for the Gilson Schools, Oldenath.

IV. The Scheme to reserve the site for Mungret National School for boys mentioned in existing Scheme, in addition to the site of the already existing girls school.

In the Scheme for the Endowments of Diocesan Schools remaining in hands of Commissioners of Education, the Secretary was directed to deal with Limerick premises as follows:—

1. Recite letting to Rev. Canon Gregg.
2. Recite expenditure by Rev. Canon Gregg.
3. Direct sale of premises for the best price that can be obtained, Rev. Canon Gregg to have credit against purchase money for his expenditure amounting to £476 15s. 5d., the balance to be included as one of the Diocesan School Endowments.

The Commissioners adjourned.

GERALD FITZGERDON,
May 10, 1890.

Wm. Edward Ellis, Secretary.

May 7, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Rev. Dr. MOLLOY.

Letters read:—

Messrs. Crawford & Lockhart, Solicitors (May 5), sending suggestions with regard to a Scheme for Hugh Boyd's Endowment, Belfast.

Major H. S. McClinton (May 5) as to the Draft Scheme for Anahilt Endowed School.

Letters also read from:—

Sir Wm. S. R. Kaye, *q.c.* (May 5), asking for a Statement for the assistance of the Chief Secretary in the House of Commons, dealing with any matters connected with the Commission.

The General Officer Commanding the Forces in Ireland, per Major H. Foster, *r.e.* (May 5), on the subject of the Portlaoise Royal School premises.

Rev. James F. French (May 5) as to his objection to the Foras Diocesan Scheme before the Privy Council.

Colonel Yarr H. Burgess (May 5) as to the Draft Scheme published for the Parochial Schools of the Diocese of Armagh.

Rev. H. K. Moore, Hon. Sec., Education Sub-Committee of the Standing Committee of the General Synod, as to the preparation of Diocesan Schemes.

Rev. Samuel Hoops, *p.c.* (May 5), as to preparing a Scheme for the Parochial Schools of the Diocese of Ardgagh.

Replies, as drafted, ordered to be sent.

The Secretary was authorised at the sitting of the Privy Council on Friday next to say that the Judicial Commissioners would be prepared to strike out of the Schedule to the Diocesan Schemes any Endowment as to which the proper consent might appear not to have been obtained, and would suggest that this might be done at any stage as the Scheme would not be operative on such Schools, and it would be inexpedient to remit Schemes affecting a great number of Endowments for the mere purpose of striking out those that ought not to appear therein.

GERALD FITZGERDON,
May 19, 1890.

Wm. Edward Ellis, Secretary.

May 9, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
and Mr. DAUGHERTY.

Letter (May 8) read from ANDREW BROWN, Assistant Secretary Presbyterian Orphan Society, asking if all Transfers of books made under Section 8 of Scheme 58, are by that Clause exempt from Stamp duty.

Reply, as drafted, ordered to be sent.

GERALD FITZGERDON,
May 19, 1890.

Wm. Edward Ellis, Secretary.

May 10, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Dr. TRAILL, Professor DOUGHERTY.

Letter (May 9) read from Very Rev. William Warburton, Dean of Elphin, as to the Scheme for Bishop Hodson's Grammar School, Elphin.

A reply, as drafted, ordered to be sent.

Letter (May 9) as to the Belfast Library and Society for Promoting Knowledge, from C. H. Brett, Solicitor, addressed to Professor Dougherty, was brought under the notice of the Commissioners.

The Commissioners adjourned.

GERALD FITZGERSON,

May 10, 1890.

Wm. Edward Ellis, Secretary.

May 14, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read:—

Rev. R. Sedlitz, D.D. (May 9), sending amendments to the Draft Scheme published for Morgan's School, Castleknock.

Frederick J. Sanderson (May 9) as to the present stage of the Scheme for Joseph Brown's Endowments, Co. Down.

Rev. Thomas Jordan, D.D. (May 12), as to the Scheme for Rainey's School, Magherafelt.

Letters also read:—

F. B. O'Keefe (May 10), enclosing a letter from the Manager of the *Irish Times* as to the cost of publication of advertisements issued by the Commission.

Mr. Peter Clarke (May 9), as to the new Governing Body of Bishop Hodson's Grammar School, Elphin.

M. Beckett, Assistant Master, Royal School, Dungannon (May 12), as to his vested interests under the Scheme for the Ulster Royal School Endowments.

Replies, as drafted, ordered to be sent.

Certain questions as to the proposed Draft Scheme for the Mungret College Endowment were discussed.

GERALD FITZGERSON,

May 14, 1890.

Wm. Edward Ellis, Secretary.

May 16, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letter (May 15) read from Rev. James Hamilton, Incumbent of Pomeroy, giving consent that his School should be included in the Armagh Diocesan Scheme.

Letter (May 15) read from the Secretaries, Commissioners of Charitable Donations and Bequests, as to Clause 12 in the Scheme for the Donaghadee Free Schools, and as to that Clause in future Schemes.

Reply, as drafted, ordered to be sent.

MUSCERY COLLEGE ENDOWMENT.

The following question having been referred to the Full Commission by the Assistant Commissioners, namely:—

Whether before publishing a White Scheme for the above Endowment it would be desirable to communicate with the present Lessees, and ascertain from them if they would be prepared either to buy the lands and buildings (excepting the part reserved for the National School) for £2,500, or to rent the same for £125 a year freed from all obligations whatsoever.

It was agreed:—

That no such communication be made to the Lessees.

GERALD FITZGERBON,

May 19, 1890.

Wm. Edward Ellis, Secretary.

May 19, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of two preceding meetings and of the Stated Attendances of May 7, May 9, May 14, and May 16, read and confirmed.

Letter read from Rev. W. Moore Morgan, LL.D., as to the substitution of the name of the Rev. C. K. Irwin, D.D., in place of that of the late Chancellor Wade in the Scheme for the Ulster Royal School Endowments.

To be informed that the change can be made in the Further Amended Scheme.

THE BANAGHER ROYAL SCHOOL ENDOWMENT AND THE ENDOWMENTS OF DIOCESAN SCHOOLS REMAINING IN THE HANDS OF THE COMMISSIONERS OF EDUCATION.

It was agreed:—

That a Scheme should be framed for the purpose of transferring to the Intermediate Education Board for Ireland, to be applied for the purposes of their Act, the property now remaining and belonging to the Diocesan Schools, and that such Scheme should also include the income or the produce of sale of the Roxborough-road School premises and the Banagher Royal School Endowment.

The principles of a Scheme for the Leamy Endowment, Limerick, were discussed.

The Commissioners adjourned.

GERALD MOLLOY,

May 23, 1890.

Wm. Edward Ellis, Secretary.

May 23, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letter (May 20), read from Rev. J. W. Johnston, Rector of Tormonmaguirk, giving his consent that the Crossdermott National School be vested in the new Armagh Diocesan Board of Education.

Letters read:—

The Most Rev. Dr. Nulty, Lord Bishop of Meath (May 19), sending amendments to the Draft Scheme published for Arthur Smith's Charity.

The Clerk of the Drapers' Company, London (May 19), as to the Monymore Male, Female, and Infants' Schools mentioned in the Schedule to the Armagh Diocesan Scheme.

Replies, as drafted, ordered to be sent.

The Commissioners adjourned.

ANTHONY TRAILL,

May 28, 1890.

Wm. Edward Ellis, Secretary.

May 28, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERDON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letters read :—

D. Dulacheraie, B.A. (May 15), addressed to Dr. Traill, objecting to the Draft Scheme published for the Donaghadee Free Schools.

Messrs. L'Estrange and Brett, Solicitors (May 24), giving suggestions as to a Scheme for the Belfast Library and Society for Promoting Knowledge, and enclosing documents relating to that Institution.

William Carter, as to the Draft Scheme for the Carysfort Royal School Endowment.

Rev. William Irwin (May 27), sending names for the proposed Governing Body of the Endowments of the Coleraine Presbytery.

H. Q. Twissall (May 24) as to any Endowment belonging to Ravensdale Schoolhouse, Ballymaculan Parish, Diocese of Armagh.

Rev. Thomas Adderley (May 26) objecting to have the Ballygawley National School included in the Armagh Diocesan Scheme.

The Clerk of the Privy Council (May 23) enclosing copies of Schemes Nos. 24, 48, 55, 59, 60, 66, 73, 74, and 79, as previously approved.

Letters also read :—

Messrs. Sutton and Son, Solicitors to Sir Edward Guinness, Bart. (May 23), as to the Draft Scheme published for Morgan's School, Castleknock.

Rev. F. S. Abbotson (May 27), as to the Ballymokeny School included in the Armagh Diocesan Scheme.

Replies, as drafted, ordered to be sent.

Letter read from Rev. Francis Hannan as to the Mellifont Schoolhouse, included in the Armagh Diocesan Scheme, and stating that it is lent by R. R. T. Balfour, D.L., Townley Hall, Drogheda.

The Secretary was directed to write to Mr. Balfour, enclosing a copy of the letter from Rev. Mr. Hannan, and of the Armagh Diocesan Scheme, and asking if he wishes to have the School vested in the Board, proposed to be incorporated for the Diocese of Armagh.

Letters, in reference to Schools in the Armagh Diocesan Scheme, read from :—

Rev. Hugh Edgar (May 24), as to Agincville National School.

Rev. F. S. Abbotson (May 27), as to Ballymuckrury School.

J. A. M. Cope, Esq. (May 26), as to an alleged bequest of £12 a year by the late Mrs. Cope, to Ballytroose National School.

Rev. R. C. Dempsey (May 24), as to Mullaghvilly School.

Replies, as drafted, ordered to be sent, and the Secretary was directed to write to Rev. W. Moore Morgan, with regard to those letters.

The Commissioners adjourned.

GERALD FITZGERDON,

May 30, 1890.

Wm. Edward Ellis, Secretary.

May 30, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERDON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letter (May 28) read from Rev. Edward J. Emerson, D.D., as to a Schoolhouse in the Parish of St. Edmund, mentioned in the Scheme for the Dioceses of Cork, Cloyne and Ross.

Reply, as drafted, ordered to be sent.

The Heads of a Scheme for the Lismoy Endowment, Limerick, were further discussed.

The Commissioners adjourned.

GERALD MOLLOY,

June 4, 1890.

Wm. Edward Ellis, Secretary.

June 2, 1890.

On this day Dr. MOLLOY attended at the Office, 23, Nassau Street, Dublin, and transacted the following business :—

Letters read :—

Colonel J. C. Lowry, D.L., as to Sandholes Schoolhouse, Parish of Desertoright, mentioned in the Schedule to the Armagh Diocesan Scheme.

D. W. Shaw, Secretary (May 31), objecting on behalf of the existing Trustees to the Draft Scheme published for the Anahilt Endowed School, County Down.

Letter (May 30) read from Joseph J. Murphy, Diocesan Secretary, as to the vesting of Schoolhouses in the new Diocesan Board to be incorporated for the Dioceses of Down, Connor and Dromore.

Reply, as drafted, ordered to be sent.

The Draft Scheme for the Mangret College Endowment, as prepared in manuscript, was approved, and ordered to sent to the printer.

ANTHONY TRAILL,

June 6, 1890

Wm. Edward Ellis, Secretary.

June 4, 1890.

Meeting of the Commission this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERSON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letter (June 2) read from Messrs. Sutton and Son, Solicitors to Sir Edward C. Guinness, Bart., stating that he declines to act as one of the first Representative Governors to be named in the Scheme for Morgan's School, Castleknock.

The Secretary was directed to write to Sir Robert Ball, B.A., Astronomer Royal, sending him a copy of the Scheme for Morgan's School, stating that Sir E. C. Guinness (who is named in the Scheme as one of the first Representative Governors) declines to act on account of his continued absence from Castleknock and the number of his other engagements, and asking Sir Robert Ball if he would consent to act as one of the first Representative Governors in his stead.

Letter (June 3) read from E. Flynn, asking when a Scheme would be published for the Baha School, County Cork.

Reply, as drafted, ordered to be sent.

Letter (June 2) read from H. Bahington, Agent over the Cope Estate, as to certain Schools on that Estate mentioned in the Schedule to the Armagh Diocesan Scheme.

The Secretary was directed to write to Rev. W. Moore Morgan, D.D., asking that inquiries should be made about same.

Letter (June 3) read from C. R. McNamara, Solicitor, enclosing original Deed dated June 3, 1890, appointing new Trustees for the Phibsborough Sunday and Daily Schools, Dublin, and Certificate of Transfer of £3,451 13s. 6d., 2½ Stock, into the names of the new Trustees, for the perusal of the Commissioners.

Ordered :—

That a copy of the Deed be made, and that the original, &c., be returned, as requested by Mr. McNamara.

Letters from Rev. John W. Lindsay and Rev. J. A. Newman, as to the Cork, Cloyne, and Ross Diocesan Scheme addressed to the Clerk of the Privy Council, submitted for the Observations of the Commissioners.

Observations, as drafted, ordered to be sent.

The Commissioners adjourned.

ANTHONY TRAILL,

June 6, 1890.

Wm. Edward Ellis, Secretary.

June 6, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the preceding meeting, and of the attendance of Dr. Molloy on June 2, read and confirmed.

Lord Justice FitzGibbon brought under the notice of the Commissioners a correspondence between himself and R. W. A. Holmes, Esq., G.B. Treasury Remembrancer, as to the provisions of Clause 7 of the Ulster Royal Schools Scheme relating to Superannuation.

The Secretary was directed to write an official letter, in terms as drafted, to Mr. Holmes on the subject.

With reference to the case of Anne Hall's Endowment for Lattone School, the Secretary submitted a draft letter to be sent to Mr. J. J. Clarke, who is the surviving personal representative of Miss Hall, and same was approved and ordered to be sent.

The Commissioners adjourned.

WILLIAM O'BRIEN,
June 7, 1890.

Wm. Edward Ellis, Secretary.

June 7, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Letter (June 6) read from Rev. George Shaw, D.D., Honorary Secretary, Presbyterian Sabbath School Society for Ireland, as to the "Accounts and Audit" Clause in the Scheme for that Society.

Reply, as drafted, ordered to be sent.

It was ordered :—

That the next batch of Schemes be first published on Saturday, June 21, 1890.

The Commissioners adjourned.

WILLIAM O'BRIEN,
June 13, 1890.

Wm. Edward Ellis, Secretary.

June 11, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read :—

Rev. James Meeks (June 6) on behalf of the Presbytery of Newry, objecting to the Draft Scheme published for the Endowments of and belonging to Congregations under the care of that Presbytery.

Rev. M. Beckett, Assistant Master, Royal School, Dungannon (June 10) giving his address till August 1st next.

Letter (June 9) read from James J. Clark, D.L., as to Anne Hall's Endowment for Lattone School.

The Secretary was directed to make further inquiries in regard to this Endowment.

WILLIAM O'BRIEN,
June 13, 1890.

Wm. Edward Ellis, Secretary.

June 13, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting, and of the Stated Attendance of June 11, read and confirmed.

Letters read from :—

Rev. George Tottenham, Honorary Secretary, (Diocesan Council of Clogher (June 1), asking for a proof of the Scheme for that Diocese.

Thomas Gerdon (June 13), asking for a copy of the further Amended Scheme for the Ulster Royal Schools Endowments.

Rev. H. K. Moran, M.A. (June 12), on behalf of the Education Sub-Committee of the Standing Committee of the General Synod, objecting to the Draft Scheme published for Morgan's School, Castleknock.

Replies, as drafted, ordered to be sent.

The Commissioners adjourned.

WILLIAM O'BRIEN,
June 20, 1890.

Wm. Edward Ellis, Secretary.

June 18, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

The principles of the proposed Draft Scheme for Leamy School, Limerick, were discussed.

Letters read :—

Rev. John Stewart (June 18) as to Carrickfergus Presbytery.

Rev. W. Moore Morgan (June 13) as to Armagh Diocesan Scheme.

Rev. M. W. Jellett, M.A. (June 14) as to Scheme for Morgan's School.

Andrew Clements (June 14) as to Anahilt Endowed School.

Major M. C. Alexander (June 16) as to Treanaghquirk National School, Diocese of Armagh.

Rev. C. Ormsby Wilby (June 16) as to a Scheme for the Diocese of Killalee and Achonry.

Letters also read :—

Rev. William Harper, objecting on behalf of the Methodist Minister and Office Bearers to the constitution of the Arklow Board of Trustees in the Caryfort Royal School Scheme.

Sir Robert S. Bell (June 13) as to Scheme for Morgan's School, Castleknock.

Colonel Yager Budge (June 13) as to Parkanour National School, Diocese of Armagh.

Replies, as drafted, ordered to be sent.

The Commissioners adjourned.

WILLIAM O'BRIEN,
June 20, 1890.

Wm. Edward Ellis, Secretary.

June 20, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the two preceding meetings read and confirmed.

Letters read :—

Messrs. Crozier and Sons, Solicitors (June 18), asking for an answer to Major McEntock's letter of the 5th ult., in reference to the Draft Scheme published for Anahilt Endowed School.

Rev. Canon Tottenham (June 19), making corrections in the proof of Draft Scheme for the Parochial Schools of the Diocese of Clogher forwarded to him.

Replies, as drafted, ordered to be sent.

Letter (June 19) read from E. W. Hobson, asking that a "Form of Consent" sent by him for Moy (No. 2) National School, Diocese of Armagh, be returned.

Ordered :—

That the form be sent back as requested.

The principles of a Scheme for the Leamy Endowment, Limerick, were discussed and agreed to, and a Draft Scheme was ordered to be drawn up and submitted to the Commission for further discussion.

The Draft Scheme for the "Limerick Endowment for Technical Education" was considered, amended, and passed, and the Secretary was directed to prepare and send out revised copies of the Scheme at once to the Commissioners.

The Commissioners adjourned.

GERALD MOLLOY,
June 23, 1890.

Wm. Edward Ellis, Secretary.

June 21, 1890

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL.

The Draft Scheme for the Diocesan Schools and the Banagher Royal School Endowment was considered and amended, and the further consideration of the portion of the Scheme relating to the Roxborough-road School Premises was postponed until Mr. Justice O'Brien is present.

Letter (June 21) read from the Secretary of the Representative Church Body, giving consent that the Glennane School be vested in the new Armagh Diocesan Board.

The following Draft Schemes were considered:—

Tate School, Wexford.
The Diocesan Schools and Banagher Royal School Endowments.
The Parochial Schools of the Dioceses of Down, Connor, and Dromore.
The Parochial Schools of the Diocese of Clogher.
The Endowments of and belonging to Congregations under the care of the Presbytery of Coleraine.

The following Schemes were ordered to be advanced, with a view to publication before the vacation:—

Margret Endowment, Limerick.
Leamy Endowment, Limerick.
Mulleton Endowed School, Cork.
Banger Endowed School, Down.
Anne Hall's Endowments.
Ballyroan Endowed School.
The Incorporated Society for promoting English Protestant Schools in Ireland.

The Secretary was directed to write to Mr. J. J. Murphy, Diocesan Secretary, Dioceses of Down, Connor, and Dromore, with regard to the Schedules for the proposed Scheme for those Dioceses.

The Commissioners adjourned.

GERALD MOLLOY,
June 23, 1890.

Wm. Edward Ellis, Secretary.

June 25, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read from:—

Rev. Andrew Patton (June 21) sends amendments to Schedule to Draft Scheme published for the Presbytery of Newry.

R. W. Elgee, Solicitor (June 24), sending particulars asked for as to the Tate School, Wexford.

The Secretary, Commissioners of Education (June 23), sending objection to the Draft Scheme published for the Carrisfort Royal School Endowment.

Messrs. Murland and Co., Solicitors (June 23), sending objection on behalf of D. Delachere, &c., to the Draft Scheme published for the Donaghadee Free Schools.

Major C. M. Alexander (June 23), as to the Tormagurke National School, in the Armagh Diocesan Scheme.

Letter (June 23) read from William Weir, as to Schemes in the Parish of Portadown, Diocese of Armagh, and asking for a copy of the Armagh Diocesan Scheme.

Ordered:—

That a copy of the Scheme be sent, as requested.

Letters (June 22 and 24) read from J. J. Murphy, Diocesan Secretary, as to the Schedule for the proposed Scheme for the Dioceses of Down, Connor, and Dromore.

The Secretary reported that he had telegraphed to Mr. Murphy to send back the Schedules as they stand.

The Commissioners adjourned.

GERALD MOLLOY,
June 23, 1890.

Wm. Edward Ellis, Secretary.

June 28, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the three preceding meetings read and confirmed.

Letters read:—

Rev. James Meeks (June 24) sending "Forms of Consent" for Schools in the Presbytery of Newry.

Rev. R. H. Oates (June 26) objecting to the Draft Scheme published for the Donaghadee Free Schools.

John C. Founden (June 25) sending the name of the Earl of Conyngham as one of the Representatives of the Ferns Diocesan Council on the Governing Body of the Tate School, Wexford.

John C. Founden (June 27) as to the position of the Archdeacon of Ferns in the proposed Scheme for the Tate School, Wexford.

Rev. R. Wallace (June 27) as to a Scheme for the Endowments of and belonging to Congregations under the care of the Presbytery of Templepatrick.

Terence Clancy (June 27) as to the land belonging to the Chrysostom Royal School.

Letters also read:—

Rev. P. McGloin (June 17), asking for a copy of the Scheme for the Ulster Royal School Endowments, as approved by the Lord Lieutenant.

Robert Philpot, Arklow (June 26), objecting to the Draft Scheme published for the Caryfort Royal School Endowment.

Rev. John H. Thorpe, Honorary Secretary to the City of Cork Church School Board (June 27), as to the collection of Rentscharges now vested in that Board under Scheme No. 47.

G. W. Roake (June 25), asking when the Scheme for Kilkenny College comes into force.

Caledon Delling, Agent to Mrs. Ballfour, as to the meaning of the "Form of Consent" necessary for vesting the Derryscollop Schoolhouse in the new Armagh Diocesan Board.

Reply, as drafted, ordered to be sent.

The Commissioners adjourned.

J. B. DOUGHERTY,

June 30, 1890.

Wm. Edward Ellis, Secretary.

June 30, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The minutes of preceding meeting read and confirmed.

Letter (June 27) read from Rev. E. L. Evans as to the Ballyroon Endowment, and asking the Commission to hold a local inquiry in Maryborough with reference to that Endowment.

A reply, as drafted, ordered to be sent.

Letter read from Rev. T. P. Morgan, asking for a copy of the Scheme for Larne Grammar School.

Ordered:—

That a copy be forwarded, as requested.

Questions discussed with regard to the Banagher Royal School Endowment and Anne Hall's Endowments.

It was agreed:—

That a Scheme by consent might be prepared for the future government and management of the Ballin Library and Society for Promoting Knowledge; Professor Dougherty to see Mr. Brett, Solicitor, and obtain further particulars.

The Secretary was directed to write for further particulars to complete the Draft Scheme for the Middleton Endowed School, County Cork.

The Commissioners adjourned.

WILLIAM O'BRIEN,

July 23, 1890.

Wm. Edward Ellis, Secretary.

July 1, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present :—Lord Justice FITZGERDON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY,
Dr. TRAILL, Professor DOUGHERTY.

Letters read :—

Rev. Thomas Macneef, Clerk of Presbytery (June 30), as to a Scheme for the Presbytery of Down.

Rev. E. Waller Hobson (June 30) returns Consent Form for the Moy (No. 2) National School, Diocese of Armagh.

Questions discussed with regard to the Diocesan Schools and Banagher Royal School Endowments.

The Commissioners adjourned.

WILLIAM O'BRIEN,

July 23, 1890.

Wm. Edward Ellis, Secretary.

July 4, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin

Present :—Lord Justice FITZGERDON, Rev. Dr. MOLLOY, Professor DOUGHERTY.

Letters read :—

Rev. Matthew Murphy, Clerk of Presbytery (July 1), as to a Scheme for the Presbytery of Athlone.

Rev. George Magill (July 1), enclosing suggestions as to a Scheme for the Presbytery of Belfast.

The Secretaries, Commissioners of Charitable Donations and Bequests (July 1), with regard to the amount of Sir Thomas Dean's Bequest, Parish of St. Peter, mentioned in the Schedule to the Cork City Parochial Schools Scheme.

Messrs. Kelly & Lloyd, Solicitors (July 2), as to the Teague Schoolhouse mentioned in the Scheme for the Armagh Parochial Schools.

The Clerk of the Privy Council (July 4), with reference to a "Petition from certain Presbyterian inhabitants of Magherafelt" praying that the Scheme for the Rainey School, Magherafelt, may be laid before Parliament.

Replies, as drafted, directed to be sent.

Questions discussed with regard to the Diocesan Schools and Banagher Royal School Endowments.

It was arranged that Professor Dougherty should visit the Lattone School, Co. Fermanagh, and make inquiries as to the School.

Points in regard to the Scheme for the Limerick Endowment for Technical Education were discussed.

Certain Draft Schemes were ordered for publication before the vacation.

Meetings were fixed for July 23, 24, and 25; both the Judicial Commissioners to be furnished with prints of the Schemes intended for publication, and the Queen's Printer to be required to have them ready.

The Commissioners adjourned.

WILLIAM O'BRIEN,

July 23, 1890.

William Edward Ellis, Secretary.

July 7, 1890.

On this day Dr. MOLLOY attended at the Office, 23, Nassau Street, Dublin, and transacted the following business:—

The Draft Scheme for the Leamy Schools, Limerick, corrected and ordered to be printed. Ordered:—

That the Draft Schemes for the Diocesan Schools and Banagher Royal School Endowments, and for the Limerick Endowment for Technical Education, be sent to Dr. Molloy immediately on receipt from Printer.

The first proof of the Draft Scheme for Middleton Endowed School, Co. Cork, ordered to be sent to the Commissioner in charge for corrections.

WILLIAM O'BRIEN,
July 23, 1890.

Wm. Edward Ellis, Secretary.

July 9, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read:—

Rev. H. Kingsmill Moore, M.A., (July 7), as to a Scheme for the Rathfriland Township Schools.

Joseph J. Murphy, Secretary, Diocesan Council of Down, Connor, and Dromore (July 8), returning corrected Schedules for Scheme, and asking for a proof of the Scheme for Sir Wm. Quinlan Esq., Bart., whose name he proposes to insert in the Scheme in place of that of the late Sir Wm. Ewart.

James Lane, Solicitor, Cork (July 7), asking if a formal Deed of Transfer of Lease under Scheme for Rochelle Seminary, Cork, is necessary.

Rev. George T. Cowper, Clerk of the Presbytery (July 7), as to a Scheme for the Presbytery of Rathfriland.

Replies, as drafted, directed to be sent.

The Draft Schemes for the Diocesan Schools and Banagher Royal School Endowments, and for the Limerick Endowment for Technical Education, were revised and corrected, and ordered to be printed. Copies to be sent to all the Commissioners marked "final" and to be entered on the Agenda Paper for Meeting to be held on July 23, 1890.

With reference to the Draft Scheme published for Arthur Smith's Charity, the Assistant Secretary reported that the Schedules though drawn up in accordance with the information furnished, were in point of fact inaccurate; and it was ordered:—

That the Assistant Secretary should confer with Messrs. Mooney and Son, Solicitors for the Charity, with a view to seeing the original documents and correcting the Schedules.

WILLIAM O'BRIEN,
July 23, 1890.

Wm. Edward Ellis, Secretary.

July 11, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read:—

The Right Hon. Viscount de Vesci (July 10), as to the Scheme for the Ballyroan Endowment, Queen's Co.

John C. Poanden, Secretary, Diocesan Council of Ferns (July 9), as to when the Ferns Diocesan Scheme will be finally approved by the Lord Lieutenant in Council.

Replies, as drafted, ordered to be sent.

Directions were given in reference to the following Draft Schemes:—

Tate School, Wexford.

Parochial Schools of the Diocese of Clogher.

Parochial Schools of the Dioceses of Down, Connor, and Dromore.

Anne Hall's Endowments.

Middleton Endowed School.

WILLIAM O'BRIEN,
July 23, 1890.

Wm. Edward Ellis, Secretary.

July 14, 1890.

On this day Dr. MOLLOY attended at the Office, 23, Nassau Street, Dublin, and transacted the following business:—

Letter (July 12) read from Rev. W. Moore Morgan, LL.D., wanting extension of time in which to make amendments to the Armagh Diocesan Scheme.

A reply, as drafted, ordered to be sent.

Letter (July 12) read from Charles J. Battersby, Diocesan Secretary, enclosing Schedules of Endowments belonging to the Diocese of Ardagh, and asking that a Scheme be prepared.

A reply, as drafted, ordered to be sent, and it was ordered:—That a Scheme be prepared at once by the Secretary.

BELFAST LIBRARY AND SOCIETY FOR PROMOTING KNOWLEDGE.

It was ordered:—

That this Scheme, as drafted, be sent to the Commissioner in charge, and that he be requested to correct it for the printer as soon as possible.

Dr. Molloy had an interview with R. W. A. Holmes, Esq., C.B., Treasury Remembrancer, with reference to the provision for superannuation of officers contained in the Ulster Royal Schools Scheme.

WILLIAM O'BRIEN,

July 23, 1890.

Wm. Edward Ellis, Secretary.

July 15, 1890.

On this day Lord Justice FITZGERSON attended at the Office, 23, Nassau Street, Dublin, and transacted the following business:—

Letter (July 14) read from Rev. Godfrey G. Greene, asking if the New Ross Parochial School Endowment can now be withdrawn from the jurisdiction of the Ferns Diocesan Board incorporated under the Scheme for that Diocese.

A reply, as drafted, ordered to be sent.

Letter (July 11) read from the Secretaries, Commissioners of Charitable Donations and Bequests, as to a sum of £1,123 15s. 4d. (Thomas Denne's Endowment), which is not included in the Scheme for the City of Cork Parochial Schools Endowments.

The Secretary was directed to forward a copy of this letter, together with copies of a former letter from the Commissioners of Charitable Donations and Bequests with reference to this Scheme, and of the reply thereto, to the Rev. John H. Thorpe, Hon. Sec., City of Cork Church School Board, asking him for any suggestions his Board may wish to offer on the subject.

WILLIAM O'BRIEN,

July 23, 1890.

Wm. Edward Ellis, Secretary.

July 16, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY.

Letters read:—

Rev. C. J. Hinkson, M.A. (July 14), as to the Sheeana School under the provision of the Scheme for the Carysfort Royal School Endowment.

Alex. Caruth, Solicitor (July 5), as to an Account from the Queen's Printer, for supplying copies of the Scheme as finally approved for the Ballymena Academy.

Alex. Caruth, Solicitor (July 15), as to the Treasury costs incurred in the publication of the Draft Scheme for that Endowment.

Replicas, as drafted, ordered to be sent.

A sitting was fixed to be held on Wednesday, July 30, at 4 o'clock, P.M., at the office, to hear the objections which the Lords of the Treasury may submit with reference to the provision for superannuation of officers contained in the Ulster Royal Schools Scheme, section 7; and the Secretary was directed to send notice of same to the Secretary of the Treasury, to R. W. A. Holmes, Esq., C.B., Treasury Remembrancer, and to the Commissioners of Education.

Agenda, as drawn up, were ordered to be inserted on the Notice of Meetings for Wednesday, July 23rd, and following days.

WILLIAM O'BRIEN,

July 23, 1890.

Wm. Edward Ellis, Secretary.

July 18, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letter (July 17) read from Rev. James Dowd, giving the names of persons having a vested interest in the Leamy Endowment, Limerick.

Ordered:—

That Rev. Mr. Dowd be asked to give the full names of the persons so mentioned.

Directions were given as to the following Draft Scheme:—

Anne Hall's Endowments.

Belfast Library and Society for promoting Knowledge.

The Assistant Secretary brought up the result of the proceedings of the Privy Council on Thursday, July 17, in the case of the Scheme for the Pultenborough Sunday and Daily Schools, Dublin.

WILLIAM O'BRIEN,
July 23, 1890.

Wm. Edward Ellis, Secretary

July 23, 1890.

On this day Dr. MOLLOY attended at the Office, 23, Nassau Street, Dublin, and transacted the following business:—

Letters read:—

The Secretary, Commissioners of Education (July 19), stating that his Commissioners will be represented at the sitting to be held on July 30th with reference to the superannuation clauses of the Ulster Royal Schools Scheme.

Messrs. Kelly and Lloyd (July 21) enclosing copy of lease relating to Turloughan School, in the Diocese of Armagh.

Letter (July 19) read from Rev. C. K. Toland as to sending a formal application for a Scheme for the Presbytery of Strabane.

A reply, as drafted, ordered to be sent.

The Secretary was directed to write in terms as drafted, to Mr. John Fox Goodson, one of the Representative Governors named in the Draft Scheme for Morgan's School, Castleknock, asking him to confer with the other Representative Governors, and furnish the Commissioners with the names of two or more suitable persons from whom one would be selected to take the place of Sir Edward Cecil Guinness, Bart., who declines to act.

The objections to the following Draft Schemes were considered with a view to preparing a memorandum for the Judicial Commissioners thereon:—

No. 3, Morgan's School, Castleknock.

No. 85, Carysfort Royal School Endowment.

No. 86, Arthur Smith's Charity.

WILLIAM O'BRIEN,
July 23, 1890.

Wm. Edward Ellis, Secretary.

July 23, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings, and of the stated attendances of July 9, July 11, July 15, July 16, and July 18, and of the attendances of Dr. Molloy on July 7, July 14, and July 22, read and confirmed.

Letters read:—

F. Mowatt, Treasury (July 23), as to the sitting to be held on July 30, with reference to the Scheme for the Ulster Royal School Endowments.

Rev. James F. Gregg (July 23), as to his vested interest in the Roxboro'-road School buildings, Limerick.

Telegram read from Lord Justice FitzGibbon as to the following Draft Schemes:—

Leamy Endowment, Limerick.

Tate School, Wexford.

Mililton Endowed School.

Parochial Schools of Diocese of Clogher.

The Draft Schemes for the following Endowments were considered, amended, and finally approved:—

The Limerick Endowment for Technical Education.

The Parochial Schools of the Dioceses of Down, Connor and Dromore.

The Draft Scheme for the Parochial Schools of the Diocese of Clogher was considered and finally approved: Dr. Traill dissenting as to the constitution of the Governing Body.

The Draft Scheme for the Leamy Endowment was considered, amended, and finally approved, subject to Lord Justice FitzGibbon's proposal as to proportion.

The Draft Scheme for the Diocesan Schools and the Banagher Royal School Endowments, was considered, and

Mr. Justice O'Brien and Dr. Molloy considered that the Scheme should stand as drafted, but as regards the Roxborough-road School premises, it was agreed that the consideration of the Scheme should be held over till to-morrow.

The Commissioners adjourned.

GERALD MOLLOY,

August 1, 1890.

Wm. Edward Ellis, Secretary.

July 24, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letter (July 23) read from Rev. James Dowd, giving names of persons having vested interests in the Leamy Endowment, Limerick.

Telegram read from Lord Justice FitzGibbon as to the following Draft Schemes:—

Mungret Endowment, Limerick,
Diocesan Schools and Banagher Royal School Endowments,

and also asking Judge O'Brien to postpone Royal Schools Sitting from July 30 to Saturday, August 2, at 12 o'clock.

The Draft Schemes for Tate's School, Wexford, and for Middleton Endowed School, Cork, were held over till Lord Justice FitzGibbon can attend.

The Draft Scheme for the Anne Hall Endowments was considered, together with Professor Dougherty's Report on his visit to the Lattone School, Co. Fermanagh, and the Scheme, as amended, was ordered to be brought up for final approval at the meeting on August 1.

The Draft Scheme for the Belfast Library and Society for promoting Knowledge, was considered and amended.

The Draft Scheme for the Parochial Schools of the Diocese of Ardragh was considered and finally approved.

The Draft Scheme for the Diocesan Schools and the Banagher Royal School Endowments was, on the receipt of the above telegram from Lord Justice FitzGibbon, finally approved, to be signed for press when ready.

In the case of future Diocesan Schemes for Parochial Schools, it was agreed:—

That in the clause with reference to Local School Authorities, the words "and under the management of such clergyman," be inserted after "belonging to such parish," in paragraph 2, line 4.

The date of the next publication of Draft Schemes was fixed for Monday, August 4.

The Commissioners adjourned.

GERALD MOLLOY,

August 1, 1890.

Wm. Edward Ellis, Secretary

July 28, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read:—

The Secretaries, Board of National Education (July 24), as to the Lattone School, County Fermanagh.

Rev. Thomas Brennan, O.C., as to the dimensions of the Lattone School buildings.

F. Mowatt, Treasury (July 25), sending objections of the Treasury to the Supersession Clauses of the Ulster Royal School Scheme.

Letter (July 27) read from Rev. Thomas Macafee as to a Scheme for the Presbytery of Down.

The usual letter asking for particulars, directed to be sent.

The Draft Scheme for the Leamy Endowment, as corrected by the Secretary, was considered, and it was ordered that a revise be submitted to the Commissioner in charge.

The Draft Schemes for the Limerick Endowment for Technical Education, and for the Diocesan Schools and Bannagher Royal School Endowments, were signed for press.

Letters as to the Carysfort Royal School Scheme read from Colonel Kemmis, J.R. (July 24), and Rev. G. J. Hinkson (July 24).

Replies, as drafted, directed to be sent.

GERALD MOLLOY.

August 1, 1890.

Wm. Edward Ellis, Secretary.

July 30, 1890.

Stated Attendance of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY.

Letters read:—

Rev. John Stewart (July 29), sending names of Governing Body and Schedules for a Scheme for the Presbytery of Carrickfergus.

Rev. W. P. Kearney, Roman Catholic Chaplain, Gilson Schools, Oldcastle (July 29), as to the proposed changes in the Scheme for those Schools in accordance with the Declaration of the Lord Lieutenant in Council.

The Clerk of the Privy Council (July 29), stating that the Scheme for the Rainey School, Magherafelt, was laid before both Houses of Parliament, on July 24, 1890.

Letters read from:—

Messrs. Thompson and Debenham, Solicitors (July 28), and the Clerk of the Salters Company (July 28), with reference to the Salters Endowment, under the Scheme for the Rainey School, Magherafelt.

Ordered:—

That these letters, and the answers already sent by the Secretary, be brought before the Judicial Commissioners when they next attend.

Letter (July 29) read from Rev. Thos. H. Fleming, as to the present state of the Rockfield Institution, County Galway.

A reply, as drafted, ordered to be sent.

Letters read from:—

Rev. John Knox Leslie (July 29), as to a Scheme for the Presbytery of Tyrone.

Rev. William Stuart (July 29), as to a Scheme for the Presbytery of Connaught.

The usual letters asking for particulars directed to be sent in reply.

GERALD MOLLOY

August 1, 1890.

Wm. Edward Ellis, Secretary.

August 1, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Professor DOUGHERTY.

Minutes of the two preceding meetings, and of the stated attendances of July 29 and July 30, read and confirmed.

Letters read:—

Colonel Kemmis (July 30), in reference to his former letter of the 24th inst. with regard to the Carysfort Royal School buildings.

The Clerk of the Salters Company (July 30), asking to be informed when the Scheme for the Rainey School, Magherafelt, is finally approved.

Rev. W. Moore Morgan (July 31), stating he can obtain no further consents for vesting schools under the Armagh Diocesan Board.

Rev. John Knox Leslie (July 31), stating that the Presbytery of Tyrone will adopt the Dublin Presbytery scheme as a model.

Letters read asking for a Scheme to be prepared for the following Presbyteries:—

Rev. R. Ross (July 30), Presbytery of Derry.

Rev. James Forsythe (July 30), Presbytery of Armagh.

Rev. R. McMorris (July 30), Presbytery of Letterkenny.

The usual letter asking for particulars directed to be sent in reply in each case.

The Draft Scheme for the Anne Hall Endowments was considered, and finally approved, to be signed for Press by the Commissioner in charge.

GERALD FITZGERDON,

August 5, 1890.

Wm. Edward Ellis, Secretary.

August 2, 1890.

PUBLIC SITTING.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Presents—Lord Justice FITZGIBBON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY, Professor DOUGHERTY.

Mr. Short, shorthand writer, was in attendance.

No. 34. THE COMMISSIONERS OF EDUCATION IN IRELAND and the ULSTER ROYAL SCHOOLS ENDOWMENTS.

OBJECTION

of the LORDS of the TREASURY to the Provision for SUPERANNUATION of OFFICERS contained in the AMENDED SCHEME, SECTION 7.

Mr. Carson, Q.C. (instructed by Patrick Coll, Esq., C.B., Chief Crown Solicitor), appeared on behalf of the Treasury.

C. L. Matheson, Esq. (instructed by Mr. Archibald Robinson, Solicitor), appeared on behalf of "The Commissioners of Education."

Jeffrey McDowell, Esq., Secretary, "Commissioners of Education," also attended.

Statements were made by

Mr. Carson, Q.C.

Mr. Matheson.

Lord Justice FitzGibbon made a statement.

Mr. Justice O'Brien made a statement.

Letter (August 1) read from Rev. George Magill, Clerk of the Belfast Presbytery, asking for twenty proofs of the Scheme, with the suggestions of his Presbytery carried out in it.

Ordered:—

That the copies be sent, with a letter, as drafted.

Letter (July 29) read from Messrs. Thompson and Debenham, Solicitors, with reference to the Salters Endowment under the Scheme for the Rainey School, Magherafelt, in answer to the Secretary's letter, dated July 29.

Reply, as drafted, ordered to be sent.

Dr. Molloy's Memorandum as to the Draft Scheme for the Leamy Endowment was communicated to the Commission. He was authorized to have it sent from the office as coming from himself.

A letter from Dr. Truill and a "protest" by him to the Schemes for the Limerick Endowments were submitted.

The following Resolution was ordered to be inserted on the minutes of the Commission, and a copy thereof sent to Dr. Truill, together with the original "protest."

"Having read the 'protest' forwarded by Dr. Truill with respect to the Draft Schemes for the Limerick Endowments, the Commissioners adjourned the determination of the question whether it should be inserted on the minutes or published until Dr. Truill could attend, and requested him, in the meantime, to reconsider the terms of the document, and the many statements of a compromising character which are contained in it, and of which the accuracy is open to question."

The Draft Scheme for the Diocese of Ardagh was further considered, and the Secretary was directed to write, in terms as drafted, to the Lord Bishop of Kilmore asking his Lordship to furnish the names of four clerical and six lay members of the Church of Ireland to be named in the Scheme.

It was ordered:—

That the following Draft Schemes be published on August 4, 1890:—

No. 88.—The Parochial Schools of the Dioceses of Down and Connor and Dromore (Consent Scheme).

No. 90.—The Diocesan Schools and Banagher Royal School Endowments.

No. 91.—The Anne Hall Endowments (Ferusagh, Lonsdownry, and Roscommon).

No. 92.—The Belfast Library and Society for Promoting Knowledge.

No. 93.—The Parochial Schools of the Diocese of Ardagh (Consent Scheme).

No. 94.—The Limerick Endowment for Technical Education.

No. 95.—The Leamy Endowment, in the County and City of Limerick.

No. 96.—The Parochial Schools of the Diocese of Clogher (Consent Scheme).

No. 97.—The Endowments of and belonging to Congregations under the care of the Presbytery of Carrickfergus (Consent Scheme).

No. 98.—Hugh Henry Boyd's Endowment, Belfast (Consent Scheme).

and instructions were given as to the mode of publication.

The Commissioners adjourned.

Wm. O'BRIEN,
September 23, 1890.K. D. Murphy,
Chief Clerk and Assistant Secretary.

August 5, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of meeting of August 1 read and confirmed.

Dr. Traill's Protest as to the Draft Schemes for the Limerick Endowments was communicated, and Dr. Traill was authorized, on completing it, to send it out from the office as coming from himself.

Letter (Aug. 4) read from the Right Rev. Samuel Shone, Lord Bishop of Kilmore, sending names of Governing Body to be inserted in the Draft Scheme for the Parochial Schools of the Diocese of Ardagh.

Ordered:—

That His Lordship be thanked for his letter.

Letter (Aug. 4) read from Rev. W. Todd Martin, LL.D., Convener of the General Assembly of the Presbyterian Church, sending the name of Rev. G. Lecky to be inserted on the Raphee Protestant Local Board in the Royal Schools Scheme, in place of Rev. W. L. Berkeley.

The Commissioners adjourned.

WM. O'BRIEN,

September 23, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

September 23, 1890.

Meeting of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERSON, Mr. Justice O'BRIEN, Dr. TRAILL,
Professor DOUGHERTY.

Minutes of two preceding meetings were read and confirmed.

Letters read:—

The Clerk of the Privy Council, Dublin Castle (Aug. 4), remitting the Scheme for the Phibsborough Sunday and Daily Schools, Dublin, with a declaration by the Lord Lieutenant in Council.

Rev. Matthew Ryan, a.o., sending Resolutions passed at a meeting of the tenants on the Erasmus Smith's Schools property, held in the town of Tipperary on August 6.

R. R. Balfour, a.o. (Sept. 2), desires the Mellifont School to be included in the Schedule to the Armagh Diocesan Scheme.

The Secretary Treasury (Sept. 10), stating that the Lords Commissioners of Her Majesty's Treasury raise no objection to clause 7 as in the Further Amended Scheme for the Ulster Royal School Endowments.

The Secretary Board of Works (Sept. 11), as to supplies for alterations, &c., required in the Office for the period 1891-2.

Rev. C. Ormsby Wiley (Sept. 19), sends specimen Scheme and Schedule of Endowments to be drawn up for the Dioceses of Kildare and Achoury.

Rev. James Meeks (Sept. 18), as to the Scheme for the Presbytery of Newry.

Rev. Andrew Patten (Sep. 19), as to the Scheme for the Presbytery of Ballymena.

Rev. W. Moses Morgan (Sept. 22), as to the Scheme for the Diocese of Armagh.

The following letters were read, and replies, as already sent, were approved:—

Messrs. J. H. Moore and Son (Aug. 2), as to the Mellifont School mentioned in the Schedule to the Armagh Diocesan Scheme.

Colonel Wm. Kennis (Aug. 4), asking that his letter of July 24th be returned to him.

Frederick Beaudenon (Aug. 8), as to the Scheme for Joseph Brown's Endowments.

F. W. McCarthy (Aug. 9), as to the Roxborough Road School buildings.

Rev. J. McNeece (Aug. 11).

Rev. Samuel M. Moore (Aug. 11).

Rev. L. A. Pooler (Aug. 11), as to the Scheme for the Parochial Schools of Down and Connor and Dromore.

Rev. W. B. Lindsay (Aug. 11), as to any Scheme for the Erasmus Smith's Endowments.

The Right Rev. the Lord Bishop of Clogher (Sept. 13), giving name of present representative of Hugh Cumming, in reference to the D'Israeli's School, Rathvilly.

The Secretaries, Commissioners of Charitable Donations and Bequests (Aug. 13), asking for extract from Miss Anne Hall's Will relating to distribution of seeds to poor tenants.

John R. McConnell (Aug. 16), as to the Scheme for the Southwell Charity and the Parochial Schools, Downpatrick.

A. Wilson (Aug. 30) asks for extracts from the Will or Deed of the late Mrs. Drelincourt, as set forth in Scheme No. 50.

John C. Pouden (Sept. 3), asking for copies of the Scheme, as finally approved, for the Parochial Schools of the Diocese of Ferns.

Rev. George Shaw (Sept. 9), as to the appointment of an Auditor to audit the accounts of the Presbyterian Solobath School Society.

James Quinn (Sept. 14), asking for a copy of the evidence taken at Ilmerick last October.

Edward C. Hamilton (Aug. —), as to the Scheme for Morgan's School, Castleknock.

The following letters were read, and replies, as drafted, were ordered to be sent :—

Rev. J. H. Menahan (Aug. 14), as to a Scheme for the Clergy Daughters School, Dublin.

Rev. E. J. Ford (Aug. 15), addressed to Dr. Trill, as to an Endowment for Ouseburn School.

Rev. John Kingham (Aug. 15), as to a Scheme for the Endowments belonging to the Association for the Employment of the Blind, Belfast.

Fredrick Saunderson (Aug. 20), as to the Scheme for Joseph Brown's Endowments, Clonsilla.

Rev. J. A. Smith, Clerk of the Cork Presbytery (Sept. 23), asking within what period application may be made for a Scheme.

Rev. J. Davidson (Aug. 18), Clerk of the Monaghan Presbytery, asking within what period application may be made for a Scheme.

Rev. William Johnston (Aug. 5), as to a Scheme for the Brown-street Schools, Belfast.

The Most Rev. Dr. Donnelly, Lord Bishop of Clogher (Sept. 16), enclosing extract from the last Report of the Commissioners of Education with reference to the Pictoria Royal School.

Letters read from the following Clerks of Presbyteries, asking for Schemes :—

Rev. J. Davidson (Aug. 7), Presbytery of Monaghan.

Rev. S. Graham (Aug. 12), Presbytery of Dromore.

Rev. J. Jackson (Aug. 29), Presbytery of Rens.

Rev. J. A. Smith (Sept. 17), Presbytery of Cork.

The usual letters asking for particulars directed to be sent in reply.

Letter (Sept. 13) read from the Right Honorable Baron Harlech, as to the Scheme published for the Parochial Schools of the Diocese of Ardagh.

Ordered :—

That this letter be brought up with the other objections at the next meeting.

Further correspondence between Lord Justice FitzGibbon and Mr. R. W. A. Holmes, C.B., Treasury Remembrancer, with reference to Clause 7 of the Ulster Royal School Scheme was submitted to the Commission and read.

Correspondence between Lord Justice FitzGibbon and Sir William Quarles Ewart, Bart., with reference to the Draft Scheme for the Parochial Schools of the Diocese of Down, Connor, and Dromore, was submitted to the Commission and read.

Letter (Aug. 8) read from Joseph J. Murphy, Diocesan Secretary, also with reference to the Draft Scheme.

Reply, as drafted, ordered to be sent.

Letters read from the following persons as to a local inquiry, with regard to the Draft Scheme for the Carysfort Royal School Endowment :—

The Right Hon. the Earl of Carysfort, &c. (Sept. 22).

Colonel Wm. Kemmis, &c. (Sept. 22).

Robert Philpot (Sept. 20).

The Commissioners fixed a Public Sitting to be held at the Woodenbridge on Saturday, October 25, at 12 o'clock noon, to consider the objections lodged against the Carysfort Royal School Scheme; it was ordered :—

That notice of same be given to the persons above mentioned, and to all other persons interested.

The Commissioners adjourned.

GERALD FITZGIBSON,

September 25, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

September 25, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGERDON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

Rev. John Finlay (Sept. 23) giving name for Governing Body in Leighlin Diocesan Scheme, in place of the late Right Hon. Arthur M'Murrough Kavanagh. Proprietor, Recess Hotel, as to accommodation for Commissioners.

Very Rev. the Dean of Cloyne (Sept. 20 and 23), as to Scheme No. 66, the Parochial Schools, &c., of the Diocese of Cork, Cloyne, and Ross.

Rev. A. McCreery, Clerk of the Comer Presbytery (Sept. 24), asking within what period application may be made for a Scheme.

Replies, as drafted, ordered to be sent.

The Commissioners made the following arrangements, subject to the approval of Mr. Justice O'Brien, for the holding of Public Sitings, commencing October 11th, in the following localities:—Castleross, Newport (County Mayo), Ballynakill, Loughrea, Limerick, Tralee, Cork, and Woodenbridge (County Wicklow); and instructions were given to the Assistant Secretary to have the following advertisement inserted in the Dublin papers, and also, so far as it concerns each district, in the local papers:—

Notice is hereby given that the Commissioners will hold Public Sitings at the following places, on the days and at the hours named, for the purpose of taking evidence, and considering objections to published Schemes, respecting the under-mentioned Endowments:—

CASTLEROSS.—Saturday, October 11, 1890.

At the Courthouse, at 11.15 A.M.

Castleross School (Lord Mount Sandford's Bequest).

NEWPORT (CO. MAYO).—Monday, October 13, 1890.

At the Courthouse, at 11 A.M.

Newport Parochial School.

BALLYNAKILL, CLIFDEN.—Tuesday, October 14, 1890.

At the Rockfield Institution, at 1 P.M.

The Rockfield Institution, Lyons' Endowment. (Further Inquiry).

LOUGHREA.—Thursday, October 16, 1890.

At the Courthouse, at 1 P.M.

The Lyons' Endowment. (Inquiry as to claims of Loughrea).

Elberton School (Parsons Farm Charity). (Further Inquiry).

LIMERICK.—Friday, October 17, 1890.

At the Courthouse, at 10.30 A.M.

No. 93.—The Diocesan Schools and Banagher Royal School Endowments.—(Limerick Diocesan School).

No. 94.—The Limerick Endowment for Technical Education.

No. 95.—The Leamy Endowment.

(To consider Objections to published Schemes).

TRALEE.—Saturday, October 18, 1890.

At the Courthouse, at 2.45 P.M.

The Jeffers Educational Endowment.

CORK.—Monday, October 20, 1890.

At the Courthouse, at 12.30 P.M.

No. 62.—The Munster Dairy School and Agricultural Institute.

(To consider Objections to published Scheme).

WOODENBRIDGE (Co. WICKLOW).—Saturday, October 25, 1890.

At the Woodenbridge Hotel, at 12 Noon.

No. 85.—The Carysfort Royal School Endowment.

(To consider Objections to published Scheme).

At the above-mentioned sittings the Commissioners will receive evidence with respect to these and other Endowments from persons interested in education.

The Commissioners adjourned.

GERALD FITZGIBSON,

September 25, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

September 25, 1890.

Meeting of the Commission held this day at the Office, 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Professor DOUGHERTY.

Minutes of two preceding meetings read and confirmed.

Letters read:—

Rev. John Stewart (Sept. 25) sends amendments to the Draft Scheme for the Presbytery of Carrickfergus Endowments.

Colonel Wm. Kemmis (Sept. 25) stating he will endeavour to attend the Inquiry at the Woodenbridge, Co. Wicklow, on Saturday, October 26, 1890.

Rev. Stewart Dickson (Sept. 24) asking for a copy of the Scheme for the Parochial Schools of Down and Connor, and Dromore.

The Assistant Secretary reported that Mr. Justice O'Brien agrees to the Circuit List as settled.

The Commissioners fixed Public Sittings to be held on October 31st and November 1st with reference to the following Endowments:—

October 31, Killinchy, Co. Down—

Killinchy School Endowment;

November 1, at Ballycastle, Co. Antrim—

Sharpe's Bequest;

and notice of the above was directed to be sent to all parties interested.

Questions connected with the Draft Scheme for Anshilt Endowed School, and the objections thereto, considered, and letters, as drafted, were ordered to be sent to the following:—David W. Shaw, Secretary; Andrew Clements, Principal; and Major H. S. McClintock, Agent to the Duke of Downshire.

The Commissioners adjourned.

WILLIAM O'BRIEN,

September 30, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

September 30, 1890.

Meeting of the Commission held this day, at 23, Nassau Street, Dublin.

Present:—Lord Justice FITZGIBSON, Mr. Justice O'BRIEN, Rev. Dr. MOLLOY.

Minutes of preceding meeting read and confirmed.

Letters read:—

John Redington (Sept. 29), as to use of Courthouse at Loughrea on October 15.

F. St. C. Hobson (Sept. 29), as to use of Courthouse at Limerick on October 17.

Thomas C. Goodman (Sept. 29), as to use of Courthouse on October 18.

J. Gale (Sept. 29), as to use of Courthouse at Cork on October 20.

Thomas F. Rutledge (Sept. 28), as to use of Courthouse at Castlebar on October 11.

G. James (Sept. 29), as to the use of the Courthouse at Castlebar on October 11.

Letter also read :—

The Most Rev. Dr. Coffey, Lord Bishop of Kerry (Sept. 29), as to the Jeffers Educational Endowment, Tralee.

Rev. M. W. Jellish, LL.D. (Sept. 27), as to the Morgan's School, Castleknock.

Replies, as drafted, ordered to be sent.

Letter (Sept. 27) read from C. Sheldon, Chairman of the Congregational Union of Ireland, as to the Scheme for the Ulster Royal School Endowments, and asking for a copy of the Scheme.

A reply, as drafted, ordered to be sent, with a copy of the Scheme.

Letters enclosing Objections to the several Schemes mentioned below read from :—

Rev. S. A. Robertson and others, to the Schemes for No. 90, Limerick Diocesan School ; No. 94, Limerick Endowment for Technical Education ; and No. 95, The Leamy Endowment.

Very Rev. Thomas Hend, A.A. (Sept. 27), to the Scheme, No. 95, The Limerick Endowment for Technical Education.

Very Rev. Dean Bunbury, on behalf of the Board of Governors of Leamy's School (Sept. 29) to the Scheme, No. 95, The Leamy Endowment.

Replies, as drafted, ordered to be sent.

It was ordered :—

That all objections received to the three Limerick Schemes, Nos. 90, 94, and 95, be printed and copies sent to all the parties interested.

Letter (Sept. 29) read from Patrick S. Connolly, Solicitor, asking for a copy of the Objections lodged to the Scheme for the Leamy Endowment for Technical Education.

Ordered :—

That Mr. Connolly be informed that a copy will be sent when printed.

Letter as to the Killinohy School, County Down, read from :—

John Mulligan, Solicitor (Sept. 19).

Rev. L. Paul T. Ledoux (Sept. 20).

Replies, as drafted, ordered to be sent.

The Assistant Secretary was directed to write in terms as drafted to the Secretary of the Commissioners of Education, enclosing copy of correspondence between the Most Rev. Dr. Donnelly, Lord Bishop of Clogher, and the Commission, with reference to the Scheme for the Ulster Royal School Endowments.

The Commissioners adjourned.

WILLIAM O'BRIEN,

October 3, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

PART III. MINUTES OF THE JUDICIAL COMMISSIONERS.

October 11, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the preceding meeting read and confirmed.

Mr. Charles Ryan appointed to take a shorthand report of the sittings of the Commission to be held at Limerick on Friday, October 25, and following day.

GERALD FITZGERDON,

November 14, 1889.

Wm. Edward Ellis, Secretary.

November 14, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the preceding meeting read and confirmed.

The objections and amendments to the Draft Scheme for the Presbyterian Sabbath School Society were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the Rev. George Shaw, D.D., Honorary Secretary.

GERALD FITZGERDON,

November 16, 1889.

Wm. Edward Ellis, Secretary.

November 16, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the preceding meeting read and confirmed.

The objections and amendments to the Draft Scheme for Bishop Hodson's Grammar School, Elphin, were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the following parties interested :—

Very Rev. William Warburton, Dean of Elphin.

Venerable A. M. Kearney, Archdeacon of Elphin.

The Honorary Secretary, St. John's Select Vestry, Sligo.

The Honorary Secretary, Select Vestry, Calry, County Sligo.

Sir Robert Hodson, Bart.

Revised copies of the Schemes for the following Endowments were ordered to be prepared :—

No. 67, The Southwell School Endowment, Kinsale.

No. 68, Shell Charity, Rochfort Bridge.

GERALD FITZGERDON,

November 20, 1889.

Wm. Edward Ellis, Secretary.

November 18, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

The objections and amendments to the Draft Scheme for the Southwell Charity and the Parochial Schools, Downpatrick, were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERDON,

November 20, 1889.

Wm. Edward Ellis, Secretary.

November 19, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The objections and amendments to the Draft Scheme for the Gilson Schools, Oldcastle, were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

November 20, 1889.

November 20, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the three preceding meetings read and confirmed.

The objections and amendments to the Draft Scheme for Guy's Free School, Ballymena, were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the Rev. John Gibson, Clerk of the Ballymena Presbytery, and Rev. Charles Davy, Minister of First Ballymena Presbyterian Church.

The revised Scheme for Bishop Hodson's Grammar School, Elphin, with the letter received thereon from Very Rev. Wm. Warburton, Dean of Elphin, was considered, and the Scheme was finally approved.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

November 23, 1889.

November 22, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The objections and amendments to the Draft Scheme for the Ballymena Academy were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the following parties interested:—

Rev. the Clerk of the Ballymena Presbytery.
Alex. Caruth, Hon. Secretary of Subscribers.
The Clerk of the Ballymena Town Commissioners.
Messrs. Bell, Stewards, and May, Solicitors for Sir Hugh Adair.
Rev. Robert King, M.A., Head Master.
Very Rev. John W. Murray, Dean of Connor.

A revised copy of the Scheme for the Parochial Schools of the Diocese of Meath, and the Preston School, Navan, was ordered to be prepared.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

November 23, 1889.

November 23, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the two preceding meetings read and confirmed.

The revised Scheme for the Southwell Charity, and the Parochial Schools, Downpatrick, was considered, and a letter as drafted was directed to be sent, with a revised copy of the Scheme, to the following parties interested:—

The Right Hon. Colonel Forde.
Wm. Johnston, M.P.
Wm. N. Wallace, B.A.
Rev. T. Blackwood Price, Rector of Downpatrick.

The revised Scheme for the Southwell School Endowment, Kinsale, was considered and finally approved.

The revised Scheme for the Presbyterian Sabhaladh School Society for Ireland, with the letter received with reference thereto from Rev. George Shaw, D.D., was considered and finally approved.

The objections and amendments to the Draft Scheme for Kilkenny College were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

November 27, 1889.

November 25, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The objections and amendments to the Draft Scheme for the Irish Non-Subscribing Presbyterian Orphan Society were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERSON,
November 27, 1889.

Wm. Edward Ellis, Secretary.

November 26, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The objections and amendments to the Draft Scheme for the Cashel Corporation School Endowments were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERSON,
November 27, 1889.

Wm. Edward Ellis, Secretary.

November 27, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the three preceding meetings read and confirmed.

The revised Schemes for the Gilson Schools, Oldcastle, and for the Shool Charity, Rochfort Bridge, were considered and finally approved.

The objections and amendments to the Draft Scheme for the Parochial Schools of the Diocese of Cork were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERSON,
November 30, 1889.

Wm. Edward Ellis, Secretary.

November 29, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The objections and amendments to the Draft Scheme for the Cashel Deanery Schools were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the following parties interested:—

Very Rev. Dean Leach, and Messrs. H. Dix & Sons, Solicitors to the Incorporated Society for promoting Protestant Schools in Ireland.

The objections and amendments to the Draft Scheme for the Strabane Academy were considered, and a revised copy of the Scheme was ordered to be prepared.

GERALD FITZGERSON,
November 30, 1889.

Wm. Edward Ellis, Secretary.

November 30, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the two preceding meetings read and confirmed.

The Scheme framed by the Judicial Commissioners for the future government and management of the following Endowment was signed:—

No. 68. The Shool Charity, Rochfort Bridge.

The Secretary was directed to forward the above Scheme to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

The revised Scheme for the Parochial Schools of the Diocese of Cork was considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the Lord Bishop of Cork and to the Cork Diocesan Secretary.

GERALD FITZGERSON,
December 4, 1889.

Wm. Edward Ellis, Secretary.

• December 2, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The objections and amendments to the Draft Scheme for the Parochial Schools of the Diocese of Ferns were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to John C. Poulson, Secretary Diocesan Council of Ferns.

The objections and amendments to the Draft Scheme for the Coshel Corporation School Endowments were considered, and a letter, as drafted, was directed to be sent, with a revised copy of the Scheme, to the following parties interested:—

The Clerk to the Coshel Town Commissioners.
Thomas Laffan, M.A.
Andrew Mulcahy.
The Most Rev. Dr. Crooke, Archbishop of Coshel.
Very Rev. Dean Elnane, R.P., Coshel.

Revised copies of the Schemes for the following Endowments were ordered to be prepared:—

No. 64. The Endowments of and belonging to Congregations under the care of the Presbytery of Dublin.

No. 78. The Endowments of and belonging to Congregations under the care of the Presbytery of Banbridge.

The revised Scheme for the Irish Non-Subscribing Presbyterian Orphan Society was considered and finally approved.

The revised Scheme for the Ballymena Academy was considered, with the letters received thereon from:—

Rev. R. King, Head Master;
Alexander Coruth, Honorary Secretary of Subscribers;
Messrs. Bell, Stewards, and May, Solicitors for Sir Hugh Adair;

and the Scheme was finally approved.

GERALD FITZGIBSON,
December 4, 1889.

Wm. Edward Ellis, Secretary.

December 4, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 25, Nassau Street, Dublin.

Minutes of the two preceding meetings read and confirmed.

A letter, as drafted, was directed to be sent, with a revised copy of the Scheme for the Parochial Schools of the Diocese of Limerick, to the Lord Bishop of Limerick and to the Rev. James Dowd, Diocesan Secretary, informing them that if a sufficient number of consents can be supplied before December 18 inst., the Scheme may be signed before the Christmas holidays, otherwise it may be indefinitely delayed.

The revised Scheme for the Strabane Academy was considered, and a letter as drafted was directed to be sent, with a revised copy of the Scheme, to the following persons interested:—

Rev. John Irwin, Secretary of the Academy, and James Kerr, M.A., Head Master.

The Amended Scheme for the Ulster Royal School Endowments was considered, with the letters received thereon from:—

Venerable the Archbishop of Armagh (November 30), on behalf of the Armagh Diocesan Council;
Rev. Jackson Smyth, M.A. (November 30), on behalf of the Presbyterians of Armagh;
Rev. W. Todd Martin (November 30) on behalf of the Intermediate Education Committee of the General Assembly;
William Paul and Rev. W. M'Mullen (December 3), on behalf of the members of the Methodist Church in Ireland;

and the Amended Scheme was finally approved.

Replies, as drafted, to the above letters were ordered to be sent.

The revised Draft Scheme for the Parochial Schools of the Dioceses of Cork, Cloyne, and Ross, with the letters received thereon from the Lord Bishop of Cork and the Diocesan Secretary, were considered, and the Scheme was finally approved.

GERALD FITZGIBSON,
December 6, 1889.

Wm. Edward Ellis, Secretary.

December 6, 1888.

Meeting of the Judicial Commissioners held this day at 23, Nassau Street, Dublin.

Minutes of preceding meeting read and confirmed.

Revised copies of the Schemes for the following Endowments were ordered to be prepared:—

No. 75. The Endowments of and belonging to Congregations under the care of the Presbytery of Ballybay.

No. 79. Joseph Brown's Endowments, Ballyhalbert.

The revised Scheme for the Parochial Schools of the Diocese of Ferns, with the observations received thereon from the Diocesan Secretary, were considered.

The revised Scheme for Guy's Free School, Ballymena, with the observations received thereon from Rev. John Gibson, Clerk of the Ballymena Presbytery, and from Rev. Charles Davoy, Minister of Congregation of First Presbyterian Church, Ballymena, were considered.

Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed:—

No. 54. The Commissioners of Education in Ireland and the Ulster Royal Schools (Amended Scheme).

No. 70. The Orphan Society of the Association of Non-subscribing Presbyterians.

The Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

GERALD FITZGERSON,

December 14, 1888.

Wm. Edward Ellis, Secretary.

December 8, 1888.

Meeting of the Judicial Commissioners held this day at 23, Nassau Street, Dublin.

Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed:—

No. 56. The Gilson Schools, Oldcastle.

No. 69. Bishop Hodson's Grammar School, Eghin.

No. 78. The Sabbath School Society for Ireland in connection with the Presbyterian Church.

The Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

GERALD FITZGERSON,

December 14, 1888.

Wm. Edward Ellis, Secretary.

December 10, 1888.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The revised Scheme for Guy's Free School, Ballymena, was considered and finally approved.

The revised Scheme for the Southwell Charity and the Parochial Schools, Dublin, was considered, with the letters received, relating thereto, from:—

Wm. Johnston, M.P.;

Rev. T. Blackwood Price, M.A.;

Right Hon. Colonel Forde;

Wm. N. Wallace;

and the Scheme was finally approved.

GERALD FITZGERSON,

December 14, 1888.

Wm. Edward Ellis, Secretary.

December 12, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

¶ The objections and amendments to the Draft Scheme for the Gwyn and Young Endowments were considered, and a revised copy of the Scheme was ordered to be prepared.

The revised Scheme for Kilkenny College was considered and amended.

GERALD FITZGERSON,

December 14, 1889.

Wm. Edward Ellis, Secretary.

December 13, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

¶ The objections and amendments to the Draft Scheme for St. Stephen's Hospital, Cork, were considered, and a letter, as drafted, was directed to be sent with a revised copy of the Scheme to Thos. H. Jermyn, Secretary to Trustees of the Hospital.

A revised copy of the Scheme for Rainey School, Magherafelt, was ordered to be prepared.

GERALD FITZGERSON,

December 14, 1889.

Wm. Edward Ellis, Secretary.

December 14, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the five preceding meetings read and confirmed.

The revised Schemes for the Endowments of the Congregations under the care of the Presbytery of Banbridge, and for Joseph Brown's Endowments, Co. Down, were considered and finally approved.

GERALD FITZGERSON,

December 18, 1889.

Wm. Edward Ellis, Secretary.

December 16, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

A letter, as drafted, was directed to be sent to John C. Peardon, Secretary, Diocesan Council, with reference to the revised Scheme for the Parochial Schools of the Diocese of Ferns, and to his letter of the 20th ultimo.

Letter (Dec. 14) read from Patrick Ryan, Solicitor to the Cashel Town Commissioners, as to the revised Scheme for the Cashel Corporation School Endowments.

Reply, as drafted, ordered to be sent.

With reference to the revised Scheme for the Ballymans Academy the Secretary was directed to write to Messrs. Bell, Stewards and May, Solicitors, asking them to return the copy of the revised Scheme with Sir Hugh Adair's observations thereon.

With reference to the revised Scheme for Kilkenny College, the Secretary was directed to send Mr. James Poe and the Lord Bishop of Ossory a copy of Mr. Hosford's letter of the 14th instant and enclosed report, and to ask them to furnish a report from those interested in the Endowment as to the amount now required for dilapidations and repairs of Kilkenny College.

¶ With reference to the revised Scheme for the Strabane Academy, the Secretary was directed to write to Rev. John Irwin, Secretary, and James Kerr, Esq., Head Master, asking them to return the copies of the revised Scheme sent them on December 9, with their observations.

GERALD FITZGERSON,

December 18, 1889.

Wm. Edward Ellis, Secretary.

December 17, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

Minutes of the preceding meeting read and confirmed.

The revised Scheme for the Gwyn and Young Endowments was considered, and a letter, as drafted, with a copy of the revised Scheme, was directed to be sent to Messrs. F. and K. Reid, Solicitors to the Gwyn Trustees, and to John F. Cooke, B.L., on behalf of the Young Trustees.

The revised Scheme for Kilkenny College was considered, and a letter, as drafted, was directed to be sent, with a copy of the revised Scheme, to the following parties interested:—

The Most Noble the Marquess of Ormonde;
The Right Rev. the Lord Bishop of Ossory;
John H. Numa, law agent, &c. &c.;
Very Rev. the Dean of Ossory;
Thomas F. McIlroy, Esq.;
James Poe, Esq.; and
Thomas Poe Hoisted, Solicitor, representing the late Mr. Weir.

The revised Scheme for the Endowments of and belonging to Congregations under the care of the Presbytery of Dublin, was considered and finally approved.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

December 18, 1889.

December 18, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the three preceding meetings read and confirmed.

The Scheme framed by the Judicial Commissioners for the future government and management of the following Endowment was signed:—

No. 67. The Southwell School Endowment, Co. Cork.

The Secretary was directed to forward the above Scheme to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

The Scheme for the Endowments of and belonging to Congregations under the care of the Presbytery of Ballybay was further considered and finally approved.

The Scheme for the Rainey School, Magherafelt, was further considered.

The objections and amendments to the Draft Scheme for the Philborough Sunday and Daily Schools, Dublin, were considered, and a revised copy of the Scheme was ordered to be prepared.

Arrangements were made for closing the Office during the usual Christmas Holidays—December 24 to January 3, inclusive.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

December 21, 1889.

December 20, 1889.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

A revised copy of the Scheme for the Parochial Schools of the Diocese of Leighlin was ordered to be prepared.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

December 21, 1889.

December 21, 1889.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the two preceding meetings read and confirmed.

Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed:—

No. 43. County Antrim—Guy's Free School, Ballymena.
No. 44. County Antrim—The Ballymena Academy.
No. 64. Presbytery of Dublin—Endowments of and belonging to the Congregations under the care of the Presbytery of Dublin.
No. 67. County of Cork—The Southwell School Endowment, Kinsale.
No. 74. County of Down—The Southwell Charity and the Parochial Schools Downpatrick.

No. 75. Presbytery of Ballytag—Endowments of and belonging to Congregations under the care of the Presbytery of Ballytag.

No. 76. Presbytery of Banbridge—The Endowments of and belonging to Congregations under the care of the Presbytery of Banbridge.

No. 77. County of Down—Joseph Brown's Endowments, County Down.

The Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

The revised Scheme for St. Stephen's Hospital, Cork, with the observations received thereon from Thomas H. Jernyns, Secretary to Trustees of Hospital, were considered, and the Scheme was finally approved.

The revised Scheme for the Parochial Schools of the Diocese of Meath, and the Preston School, Naran, was considered, and a letter as drafted was directed to be sent, with a copy of the revised Scheme, to the Rev. James B. Keene, M.A., Diocesan Secretary.

GERALD FITZGERSON,

January 3, 1890.

Wm. Edward Ellis, Secretary.

December 23, 1889.

Meeting of the Judicial Commissioners held this day at 10, Merrion Square, Dublin.

The Scheme for the Bertrand Female Orphan School was amended in accordance with the Declaration of the Lord Lieutenant dated December 21, 1889, and a revised copy of the Scheme was ordered to be prepared.

The revised Scheme for the Philaborough Sunday and Daily Schools, Dublin, was considered and amended.

GERALD FITZGERSON,

January 3, 1890.

Wm. Edward Ellis, Secretary.

January 3, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the two preceding meetings read and confirmed.

The Scheme framed by the Judicial Commissioners for the future government and management of the following Endowments was signed:—

No. 65. The Parochial Schools of the Diocese of Cork, Cloyne and Ross, Bishop Crooke's School, Cloyne; and other Endowments in the Dioceses of Cork, Cloyne and Ross.

The Secretary was directed to forward the above Scheme to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

The Schemes for the following Endowments were further considered and amended:—

No. 29. The Philaborough Sunday and Daily Schools, Dublin.

No. 48. The Rainey School, Magherafelt.

No. 55. The Parochial Schools of the Diocese of Meath, &c.

With regard to the Scheme for the Cashel Corporation Endowments, the Secretary was directed to write, in terms as drafted, to the Town Clerk of Cashel with reference to the representation of the Town Commissioners on the proposed Governing Body.

Letter (Jan. 2) read from the Right Rev. Dr. Walsh, Lord Bishop of Ossory, as to the revised Scheme for Kilkenny College.

The Secretary was directed to telegraph to the Bishop stating that the Commissioners have adopted the suggestions of the present Trustees of the College, and asking his lordship to send his observations on the Architect's Report.

The Secretary was directed to write, in terms as drafted, in reply to the letter dated November 14, 1889, from Sir West Ridgeway, Under Secretary, sending an estimate of the probable expenditure of the Commission for the year 1890-91, and also a statement of the progress of the Commission.

GERALD FITZGERSON,

January 11, 1890.

Wm. Edward Ellis, Secretary.

January 6, 1890.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The revised Scheme for the Gwyn and Young Endowments, Londonderry, with the letter received thereon from John F. Cooke, one of the Young Trustees, was considered, and the Scheme was finally approved.

Wm. Edward Ellis, Secretary.

GERALD FITZGERDON,

January 11, 1890.

January 10, 1890.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

The revised Schemes for the following Endowments were considered, and finally approved:—

- No. 27. Bertrand Female Orphan School. (Amended.)
- No. 29. Philaborough Sunday and Daily Schools.
- No. 48. Rainey's School, Magherafelt.
- No. 60. The Cuskel Deanery Schools.

The revised Scheme for the Cuskel Corporation Endowments, with the letters received thereon from:—

- The Most Rev. Dr. Croke, Archbishop of Cashel;
- Very Rev. Dean Kinnane, P.P., Cashel; and
- Thomas Laffan, M.D.;

was considered, and the Scheme was finally approved.

The revised Scheme for Kilkenny College, with the letters received thereon from:—

- The Right Rev. William Pakenham Walsh, Lord Bishop of Ossory; and
- James Poe Hensford, acting for the Representatives of the late Mr. Weir;

was considered, and the Scheme was finally approved.

The revised Scheme for the Parochial Schools of the Diocese of Meath and the Preston School, Navan, with the letter received from the Rev. J. B. Keene, Diocesan Secretary, was considered, and the Scheme was finally approved.

GERALD FITZGERDON,

January 11, 1890.

Wm. Edward Ellis, Secretary.

January 11, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the three preceding meetings read and confirmed.

Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed:—

- No. 27. The Bertrand Female Orphan School, Dublin. (Amended Scheme.)
- No. 29. The Philaborough Sunday and Daily Schools, Dublin.
- No. 46. Kilkenny College.
- No. 48. Rainey's School, Magherafelt.
- No. 56. The Parochial Schools of the Diocese of Meath; the Preston School, Navan; and other Endowments in the Diocese of Meath.
- No. 59. The Cuskel Corporation School Endowments.
- No. 60. The Cuskel Deanery Schools.

The Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

GERALD FITZGERDON,

January 14, 1890.

Wm. Edward Ellis, Secretary.

January 14, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the preceding meeting read and confirmed.

Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed:—

- No. 24. The Gwyn and Young Endowments, Londonderry.
- No. 78. The Parochial Schools of the Diocese of Ferns.

The Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for His Excellency's approval, with the usual letter.

GERALD FITZGERDON,

February 22, 1890.

Wm. Edward Ellis, Secretary.

February 22, 1890.

Meeting of the Judicial Commissioners held this day at 23, Nassau Street, Dublin.

Minutes of the preceding meeting read and confirmed.

Letter (Feb. 26) read from John C. Pounden, Secretary, Diocesan Council of Ferns, as to an error in clause 6 of the Scheme for the Parochial Schools of that Diocese, now before the Lord Lieutenant.

That the following communication be sent to the Clerk of the Privy Council, Dublin Castle:—

In the Ferns Diocesan Scheme, No. 73, clause 6, line 5 (page 6), the word "Board," where it secondly occurs, should be "Diocesan Synod." The alteration was made by a clerical error, without the authority of the Judicial Commissioners, and escaped observation. The words "Diocesan Synod" were in the Draft Scheme as finally approved, and should be restored.

Signed, (GERALD FITZGERSON,
{ WILLIAM O'BRIEN.

and that Mr. Pounden be informed that the clerical error referred to will be rectified on the Scheme being provisionally approved, in case no objection is lodged to same within the prescribed time.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

April 30, 1890.

April 9, 1890.

Meeting of the Judicial Commissioners held this day at 23, Nassau Street, Dublin.

Minutes of the preceding meeting read and confirmed.

Mr. Francis H. Wayland appointed to take a shorthand report of the Public Sitzings of the Commission to be held at the Office, on Thursday, April 10, and on Friday, 11, at the Court House, Navan.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

April 30, 1890.

April 30, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the two preceding meetings read and confirmed.

Mr. Andrew Dunlop appointed to take a shorthand report of the Public Sitting of the Commission to be held on Friday, May 2, at the Court House, Longford.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

June 20, 1890.

June 20, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of previous meeting read and confirmed.

It was ordered:—

1. That the sittings of the Commission shall be adjourned, for vacation, from Saturday, August 2, to Monday, September 22.
2. That the Office of the Commission shall be open for the transaction of business on Tuesdays and Fridays, during above period, from eleven to one only.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

August 1, 1890.

August 1, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of previous meeting read and confirmed.

Mr. Augustine Short appointed to take a shorthand report of the Public Sitting of the Commission to be held at the Office, on Saturday, August 2, 1890.

GERALD FITZGERSON,

Wm. Edward Ellis, Secretary.

August 6, 1890.

August 6, 1890

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of preceding meeting read and confirmed.

The Amended Schemes for Kilkenny College and for the Philiborough Sunday and Daily Schools, Dublin, were considered and finally approved.

The Amended Scheme for the Gilson Schools, Oldcastle, was considered and finally approved.

Letter (July 29) read from Rev. W. P. Kearney, Roman Catholic Chaplain to the Schools, as to the proposed alteration in conformity with the Declaration of the Lord Lieutenant in Council.

A reply, as drafted, ordered to be sent.

The Further Amended Scheme for altering the constitution of the Commissioners of Education in Ireland, and for the future government and management of the Endowments of the Ulster Royal Schools, was considered and finally approved.

GERALD FITZGERSON,

September 23, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

August 12, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Amended Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed:—

No. 23. The Philiborough Sunday and Daily Schools, Dublin.

No. 44. Kilkenny College.

No. 56. The Gilson Schools, Oldcastle.

The Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for his Excellency's approval, with the usual letter.

GERALD FITZGERSON,

September 23, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

August 14, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

The Further Amended Scheme framed by the Judicial Commissioners for altering the constitution of the Commissioners of Education in Ireland, and for the future government and management of the Endowments of the Ulster Royal Schools, was signed, and the Secretary was directed to forward the above Scheme to the Chief Secretary to the Lord Lieutenant, for His Excellency's approval, with the usual letter.

GERALD FITZGERSON,

September 23, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

September 12, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

The objections and amendments to the Draft Scheme for Morgan's School, Castleknock, were considered, and the Secretary was directed to write, in terms as drafted, with reference to the Scheme as revised, to Rev. H. Kingsmill Moore, M.A., Hon. Sec. Education Sub-Committee of the Standing Committee of the General Synod; Rev. R. Sadleir, D.D., one of the proposed Governors; and Rev. Morgan W. Jellett, LL.D., Catechist of the School.

GERALD FITZGERSON,

September 23, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

September 23, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of the four preceding meetings read and confirmed.

The Scheme for D'Irsall's School, Rathvilly, was considered and finally approved.

The Schemes for the following Endowments were considered and revised :—

- No. 3. Morgan's School, Castleknock.
- No. 80. The Anahilt Endowed School.
- No. 82. The Donaghadee Free Schools.

GERALD FITZGERBON,
September 26, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

September 26, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of preceding meeting read and confirmed.

The Schemes for the following Endowments were considered and amended :—

- No. 83. The Endowments of and belonging to Congregations under the care of the Presbytery of Ballymena.
- No. 84. The Endowments of and belonging to Congregations under the care of the Presbytery of Newry.
- No. 86. Arthur Smith's Charity.

The Assistant Secretary was directed to send a copy of the revised Scheme for Arthur Smith's Charity to the Most Rev. Dr. Nulty, Lord Bishop of Meath, asking for his Lordship's observations thereon before it is signed by the Judicial Commissioners.

GERALD FITZGERBON,
September 30, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

September 30, 1890.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Minutes of preceding meeting read and confirmed.

The Scheme for the Parochial Schools of the Diocese of Leighlin was considered and revised.

Schemes framed by the Judicial Commissioners for the future government and management of the following Endowments were signed :—

- No. 3.—Morgan's School, Castleknock.
- No. 80.—The Anahilt Endowed School.
- No. 81.—D'Irsall's School, Rathvilly.
- No. 87.—Ballyvaughan Parochial School.

The Assistant Secretary was directed to forward the above Schemes to the Chief Secretary to the Lord Lieutenant for his Excellency's approval, with the usual letter.

GERALD FITZGERBON,
October 3, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

PART IV.

MINUTES OF THE ASSISTANT COMMISSIONERS.

October 17, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

Rev. John Stewart, sending information as to the Endowments of the Presbytery of Ballymena.

Rev. James Meeks as to Endowments of the Presbytery of Newry.

Rev. Thomas Brown, M.A., as to Munster Endowment, Limerick.

Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick, as to employing Counsel at the Limerick Inquiry.

J. C. Foulson as to consents for the Ferns Diocesan Scheme.

Replies as drafted, ordered to be sent.

It was agreed—

That the memorandum received from Arklow should be brought up before the full Commission at the next meeting, with a view to the settlement of the principles upon which the Carysfort Royal School Endowment shall be dealt with.

Adjourned.

ANTHONY TRAILL,

November 1, 1889,

N. D. Murphy,

Chief Clerk and Assistant Secretary.

November 1, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

Arrangements were made for the annotation and preparation by the Assistant Commissioners of the objections and amendments to the Draft Schemes referred to in the minutes of the full Commission of October 22, with a view to their being dealt with by the Judicial Commissioners when framing Schemes for the Endowments concerned.

Adjourned.

GERALD MOLLOY,

November 29, 1889.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

November 29, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The principles upon which a Scheme should be drafted for the Carysfort Royal School Endowments were discussed and accepted, subject to a question as to the amount of the yearly grant to be provided for a Schoolmaster of a School proposed to be established, under Protestant management, at Sheeanamore.

Adjourned.

GERALD MOLLOY,

November 29, 1889.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

November 27, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Dr. MOLLOY, Dr. TRAILL.

The heads of a Scheme for D'Isidore's School, Bough, Rathvilly, were submitted and passed.

Adjourned.

GERALD MOLLOY,

November 29, 1889.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

November 29, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

The heads of a Scheme for the Anahilt Endowed School were submitted and passed.

The principles on which a Scheme should be framed for the Carysfort Royal School Endowments were further discussed.

Adjourned.

ANTHONY TRAILL,
December 4, 1889.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

December 4, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of preceding meeting read and confirmed.

Certain points in connection with a reply proposed to be sent to a letter from Dublin Castle respecting inspection were discussed.

Adjourned.

GERALD MOLLOY,
January 25, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

December 6, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The heads of a Draft Scheme for the Carysfort Royal School Endowment were submitted and discussed.

Adjourned.

GERALD MOLLOY,
January 25, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

December 12, 1889.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The Revised Draft Scheme for the Gwyn and Young Endowments, Londonderry, was considered.

The Draft Scheme for D'Irsell's School, Rathvilly, was submitted and ordered to be printed.

Adjourned.

GERALD MOLLOY,
January 25, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

January 25, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. MOLLOY, Dr. TRAILL.

Minutes of the three preceding meetings read and confirmed.

The Draft Scheme for Ballyvaughan Parochial School was submitted and ordered to be printed.

It was ordered :—

That the Scheme for the Carysfort Royal School Endowment, when drafted, should be sent to the printer.

It was agreed :—

That the Draft Scheme for the Mount Alexander School, Donaghadee, and Admiral Leslie's Free School, Donaghadee, should be prepared and brought up for consideration at the next meeting.

Adjourned.

J. B. DOUGHERTY,
February 7, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

January 29, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. MOLLOY, Dr. TRAILL.

A Draft Scheme for the Donaghadee Free Schools was submitted and ordered to be printed.

The terms of Arthur Smith's Charitable Bequest were discussed, and it was arranged that a Draft Scheme should be prepared for this Endowment.

Adjourned.

J. B. DOUGHERTY,
February 7, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

February 7, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. TRAILL, Professor DOUGHERTY.

The minutes of the two preceding meetings read and confirmed.

The Draft Scheme for the Annahilt Endowed School was considered and passed, subject to certain points which were reserved for the opinion of Lord Justice FitzGibbon.

The Assistant Secretary was directed to obtain information as to the particulars of the site of the School.

A Draft Scheme for the Endowments of the Ballymena Presbytery was submitted and ordered to be printed.

Adjourned.

ANTHONY TRAILL,
February 8, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

February 8, 1890.

Meeting of the Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

A letter, as drafted, was ordered to be written to the Clerk of the Coleraine Presbytery with regard to a Draft Scheme for the Educational Endowments of that Presbytery.

A Draft Scheme for the Educational Endowments of the Newry Presbytery was submitted and ordered to be printed.

Adjourned.

GERALD MOLLOY,
February 21, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

February 21, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

The Draft Scheme for the Donaghadee Free Schools was considered and passed, subject to certain points which were reserved for the full Commission.

Adjourned.

J. B. DOUGHERTY,
February 28, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

February 22, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

A Draft Scheme, in manuscript, for Arthur Smith's Charity was submitted and ordered to be printed.

The Assistant Secretary was directed to write, in terms as drafted, to the Most Rev. Dr. Nulty, Lord Bishop of Meath, with regard to the Governing Body for Arthur Smith's Charity.

Adjourned.

J. B. DOUGHERTY,
February 28, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

February 28, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the two preceding meetings read and confirmed.

The Draft Scheme for the Endowments of the Ballymena Presbytery was considered and passed.

Adjourned.

GERALD MOLLOY,

May 16, 1890

N. D. Murphy,

Chief Clerk and Assistant Secretary.

May 16, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Professor Dougherty submitted a statement with regard to the Anne Hall Endowments.

The Secretary was directed to obtain farther information with regard to these Endowments.

The heads of a Draft Scheme for the Endowments of Margret College, Limerick, were submitted and passed, subject to the question, which was to be referred to the full Commission, whether, before publishing a "White Scheme," it would not be desirable to communicate with the present Lessees, and ascertain from them if they would be prepared either to buy the lands and buildings, except the part reserved for the site of a National School, for the sum of £2,500, or to rent the same for £125 per annum.

Adjourned.

[NOTE.—At a subsequent meeting of the full Commission, the above question was decided in the negative.]

ANTHONY TRAILL,

May 17, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary

May 17, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of previous meeting read and confirmed.

The heads of a Scheme for the Tate School, Wexford, were submitted and passed, subject to the following objection raised by Dr. Molloy, namely:—

That inasmuch as the Founder provided for the Mayor of Wexford being a Trustee for the administration of the Endowment, and that the Mayor of Wexford is constituted one of the Trustees in the Chancery Scheme of 1858, and again in the Chancery Scheme of 1879, and that, in fact, Catholic Mayors have sometimes attended meetings of the Trustees and that Catholic pupils are admissible into the Institution, Dr. Molloy is of opinion that there is no sufficient reason for excluding the Mayor of Wexford from the Governing Body.

The principles upon which a Scheme should be framed for Anne Hall's Charity were discussed, and the heads of a Draft Scheme for that Endowment were submitted and passed.

Adjourned.

GERALD MOLLOY,

June 21, 1890.

N. D. Murphy,

Chief Clerk and Assistant Secretary.

June 11, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL,

The heads of a Draft Scheme for Middleton College were submitted and passed, and a Draft Scheme ordered to be prepared.

Adjourned.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

GERALD MOLLOY,
June 21, 1890.

June 21, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the two preceding meetings were read and confirmed.

The Draft Scheme for Tate's School, Wexford, was considered, and letters were ordered to be written to B. W. Elgee, Solicitor, for particulars of the Endowments for the Scholars, and to the Secretary of the Ferns Diocesan Council for the names of persons to appear in the Scheme as the first Representative Governors.

Adjourned.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

J. B. DOUGHERTY,
July 24, 1890.

June 30, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The Assistant Commissioners considered the question of preparing a Scheme for the Belfast Library and Society for promoting knowledge, and it was agreed that it would be desirable to prepare a Scheme, but that the publication should be delayed until the result of a Bill now before Parliament becomes known.

Adjourned.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

J. B. DOUGHERTY,
July 24, 1890.

July 4, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Professor DOUGHERTY.

The heads of a Scheme for the Belfast Library and Society for promoting knowledge were submitted and passed.

Adjourned.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

J. B. DOUGHERTY,
July 24, 1890.

July 24, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present:—Rev. Dr. MOLLOY, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

The heads of a Scheme for Hugh Boyd's Endowment were submitted and passed, and the Scheme was ordered to be prepared and printed.

Adjourned.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

GERALD MOLLOY,
August 1, 1890.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

August 1, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Professor DOUGHERTY.

Minutes of previous meeting read and confirmed.

The Draft Scheme for the Endowments belonging to Congregations under the care of the Presbytery of Carrickfergus was considered and passed.

Adjourned.

ANTHONY TRAILL,

September 24, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

August 2, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Professor DOUGHERTY.

The Draft Scheme for Hugh Henry Boyd's Endowment was considered and passed.

Adjourned.

ANTHONY TRAILL,

September 24, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

September 24, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of two preceding meetings read and confirmed.

A provisional circuit list for the ensuing month of October was settled and agreed to.

The heads of a Scheme for the Brown Street Schools, Belfast, were submitted and considered.

Adjourned.

GERALD MOLLOY,

September 25, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

September 25, 1890.

Meeting of the Assistant Commissioners held this day at the Office, 23, Nassau Street, Dublin.

Present :—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of previous meeting read and confirmed.

A letter to be written to the Clerks of the Presbyteries of Ballymena and Newry with regard to the Schemes for the Endowments of these Presbyteries was submitted and approved.

Adjourned.

ANTHONY TRAILL,

November 5, 1890.

N. D. Murphy,
Chief Clerk and Assistant Secretary.

APPENDIX.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION,

1889-90.

APPENDIX A. MINUTES OF EVIDENCE.

PUBLIC SITTING—FRIDAY, OCTOBER 25, 1889,

At the Court-house, Limerick.

Present:—The Right Hon. Lord Justice FITZGERSON and the Right Hon. Lord Justice NAISH, Judicial Commissioners; and the Rev. GERALD MOLLOY, D.D., D.Sc., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.S., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Assistant Secretary, N. D. MURPHY, was in attendance.

MUNGRET AGRICULTURAL SCHOOL, LEAMY'S FREE SCHOOL, AND ROXBOROUGH ROAD SCHOOL, LIMERICK.

Sir Stephen E. De Vere, Bart., and J. G. Barry, Esq., appeared on behalf of the Trustees of Mungret College. Rev. T. Head, A.T., Rector of Mungret College, and Rev. William Evans, A.T., appeared on behalf of the Jesuit Order. Very Rev. Dean Baskery and Lord Clonville appeared on behalf of the Governing Body of Leamy's School. Rev. J. F. Gregg, Principal of the Roxborough Road School, appeared in person. D. F. Browne, Esq., Barrister-at-Law, appeared on behalf of the Christian Brothers, Limerick. C. F. Doyle, Esq., Barrister-at-Law, appeared on behalf of the Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick. P. Shelton Connolly, Solicitor, appeared on behalf of the Corporation of Limerick.

The following were also present:—Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick; Lord Monteleale; Alexander Shaw, A.T.; Rev. T. O'K. A.T., Rector, Sacred Heart College; Rev. T. Browne, A.T.; Rev. Chancellor Gubbins; Rev. David Wilson, A.T.; Rev. W. Bannardale; Rev. James Dowd; James Quinn, Esq., A.T.; Jerome Connolly, A.T.; John White, D.M.; Captain Vanderlicke; James O'Shaughnessy, M.D., and Colonel Mansell.

Lord Justice FITZGERSON made an introductory statement referring to the Memorandum of the Commissioners dated August 10, 1889, containing the questions for consideration at this sitting.

MUNGRET AGRICULTURAL SCHOOL.

1. Mr. J. G. Barry.—Would you allow me, my lord, to explain about the Mungret Scheme. When we got possession of the school, when the first lease was determined, we found that it was necessary to amend the scheme. We then drew up a draft scheme which is the scheme on the back of the lease, that scheme was submitted to the Lord Lieutenant in Council at the time, and there was a delay about his sanction, it was finally sanctioned with the additions.

Lord Justice FITZGERSON.—They are not additions, they are very substantial alterations.

Mr. J. G. Barry.—Very substantial; but the lease was not to take effect until the 1st January following. We had this agreement (document produced) between ourselves and the lessees, that if anything occurred which would delay the Lord Lieutenant's sanction of the new scheme, we would not be held liable for giving them a lease before the scheme was sanctioned.

2. Lord Justice FITZGERSON.—But the lease of April 12, 1883, recites that the Treasury had concurred in the scheme of 1880 enabling the trustees to demise the lands and buildings. As a matter of fact, that scheme of 1880 excepted the school house and buildings from the power to demise, and also excepted such portion of the lands, not less than two acres, as should be used in immediate connection with the school. Therefore the recital in the lease is contrary to the fact as regards the power to execute the lease at all. Then the covenant in the lease is to carry on the school in the manner prescribed in the scheme set forth in the schedule, "with any alterations to be thereafter approved by the Lord Lieutenant." Therefore the lessees become liable to any changes that the Lord Lieutenant might make, and among

those changes there is the substantial change that the buildings and two acres of the land should be demised for the purpose only of carrying on therein a school, for the purposes, and under the rules and limitations therein specified. And one of those is that the school is to be opened, without religious distinction, to boys; but inhabitants of the city and county of Limerick are to have a preference in obtaining admission, and boys, other than such inhabitants, are not to be received if there is a sufficiency of such inhabitants to fill the vacant places. Further the head master is to be appointed by the trustees, and all other masters are to be appointed and dismissed by him. These are terms put into the scheme which are inconsistent with the lease under which the lessees took the place.

Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.—And sanctioned by the Lord Lieutenant in Council.

Sir Stephen E. De Vere.—I think it would be very well that first we should understand to what extent we are to take into consideration the supposed error or inaccuracy in the lease, I should wish to know exactly how the trustees and the lessees stand with regard to that lease. Is it suggested that the lease is invalid? If so we shall have to consider what our relative positions are, and which I don't think it necessary to go into at present. I think I shall be able to show that the lease is valid both in law and in equity. I have no doubt that will be the fact if the validity of the case comes to be considered in a court of justice. But before we spend our time over the question the trustees would wish to know whether that lease is impeached as to its validity, whether we are now to argue the question, and make our suggestions upon

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the basis that there is an existing lease, or upon the basis that the present possessors are tenants from year to year without a lease.

3. Lord Justice FRYSTON.—I am glad you have put that question in that way. You ask whether we are to go on the assumption that this lease is valid or not valid. We have no jurisdiction to determine whether it is valid or not, but we have jurisdiction to make these now in possession secure by getting rid of all questions with regard to the lease. There are other tribunals and other modes of proceeding which can determine the question whether it is valid or not. We have got power to put an end to such questions, we have not power to decide them. You can judge for yourself of the risks you run. The trusts are here to be seen, and you know whether you are deriving them; there is also a question of fact whether there was a sale under the Act directed, and nature of that land. The Attorney-General, or any of the existing trustees, or anyone interested in the endowment, can at any time institute a proceeding in Chancery for the purpose of having the trusts carried out, or for the purpose of seeing whether this place is really used for the purposes of such a school as the deed contemplates; these questions can then be raised and decided. But I think we throw out before that one of the advantages of our procedure is that we can get rid of litigation, and can give you, instead of this lease, a scheme which will be above question, and having the force of an Act of Parliament. It is very much for yourselves to say whether you wish to have such a scheme or not, and for those who might otherwise be interested in raising these questions to say whether they will intervene and prevent them from being settled in that way.

Sir X. de Vere.—I shall not press that any further. I have no doubt that the gentlemen with whom I am interested will assume that the present leases are holding under a valid document. My principal reason for having raised the question was that the trustees have a continuous power of making other leases.

4. Lord Justice FRYSTON.—They have no power to determine this lease unless the lessees fail to carry on the school in accordance with the trust.

Sir S. de Vere.—We would have the power if this

was an invalid lease of accepting a surrender, and making a new one.

5. Lord Justice FRYSTON.—But only on the terms of the existing scheme.

Sir X. de Vere.—No doubt. Nobody can be more anxious to maintain the existing scheme with such alterations as may appear fitting to you. Our great object is to maintain our present position.

6. Lord Justice FRYSTON.—Of course you understand that neither you nor the Lord Lieutenant can go beyond the Act of 1879, and it is a condition affecting every scheme of the Lord Lieutenant, as well as every lease that all the trust property shall be used and applied under the control and direction of the trustees to such purpose of instruction, including the instruction in and the promotion of agricultural science, as to the Lord Lieutenant may seem meet. That is a restriction which we understood the parties were anxious to get rid of. Neither you nor the Lord Lieutenant have power to get rid of it. A scheme settled by us and sanctioned by the Lord Lieutenant can do so. Again you could not get rid of the provisions that the buildings and at least two acres of the lands shall be demised for the purposes only of carrying out therein a school open to boys without religious distinction, in which inhabitants of the city and county of Limerick are to have a preference.

Sir S. de Vere.—We have desired to keep to the original intention.

7. Dr. TRANT.—Don't you think you have got rid of it pretty effectually by leaving the place to the Jesuits?

Sir S. de Vere.—I am quite of a different opinion, and I will be prepared by-and-by to convince you.

8. Dr. TRANT.—You think Protestant boys could be educated there by the Jesuits as in an institution provided for all classes "without religious distinction?"

Sir S. de Vere.—Certainly, but I think you are going into a question that is rather premature.

Lord Justice FRYSTON.—We would be very glad if you would give us the broadest arrangement that you think ought to be made, if any, for the future management of the Mungret school, by which all these questions should be put an end to.

Sir S. de Vere.—We have already put them forward, in the letter of the trustees published in your memorandum.

Very Rev. Dean Sandberg.

Very Rev.
Dean Sandberg.

9. Before this matter proceeds further I want to say that from the point of view of those I represent the question is, what is to be done with the portion of this endowment which is acknowledged to belong to the public, whatever it may be, I calculate it is over £7,000. We are not concerned as to how the College of Mungret is to be conducted in the future; we don't desire to propose anything that would be of disadvantage to it. I want to impress upon all here that we are not desirous of interfering at all with the working of this college, which seems to be a success from the point of view of those who established it. But what we are concerned about is that portion of the endowment which belongs to the public; that is really the point that the public is interested about. We are interested only so far as the amount of this original endowment belonged to the public, was derived from public sources, and is certainly un denominational.

Lord Justice FRYSTON.—No practical man would suggest that the £7,000, the money that was spent on the buildings originally, is still there; the buildings are not now worth their original cost, and the £7,000 is not still available. The first question is, what proportion of the existing property represents the public money. The next question is, what are the relative claims of the different classes of persons for which it was originally intended, and to a large extent the claims on the public property would now be represented by those who are now the lessees, they belong to the same denomination as the vast majority of the public of Limerick.

10. Lord Justice NAIRN.—When you refer to the

public claims, Mr. Dean, do you refer to the claims of the different religious denominations?

Dean Sandberg.—Quite so.

11. Lord Justice NAIRN.—Then I take it you are referring principally to what I may call the Protestant claim.

Dean Sandberg.—I don't confine the claim to the Protestants, I think the Roman Catholics should be considered in this matter too. This school was originally established for the benefit of the Roman Catholic farmers, and I am not prepared to say it was an utter failure. I don't think the agricultural college was such an entire failure as people were led to believe, and I think evidence might be produced to show it was not a failure. I am not supposed to advocate the cause of the Roman Catholic party, but at the same time they are my fellow countrymen, and I have a regard for them, and I should not like to be supposed to be against them in any way.

12. Lord Justice NAIRN.—At the last sitting we had no evidence that the Roman Catholics were dissatisfied with Mungret College, nor did any one appear to suggest it. I don't imagine there is anyone here today to suggest it.

Dean Sandberg.—Then I put that aside and I claim for the Protestant interest.

13. Lord Justice NAIRN.—As that is one of the matters on which I have felt a difficulty, I would like to know on what basis you calculate the Protestant claims on Mungret.

Dean Sandberg.—I say this sum of money was un denominational, it was for all denominations, and I am not

now going to divide it, and say, "Such a sum belongs to the Protestants, and such a sum to the Catholics."

14. Lord Justice NAUGHTON.—We have had to deal with two arch cases, the *Swedish case*, and the *Royal Schools*, and this Commission acted on the principle that if an educational endowment was founded for all classes, all classes were supposed to have equal claims on it, and, *prima facie*, in proportion to their numbers. If we found the two bodies could not work together, we allowed them to separate, and gave each body their share, estimated, in the first instance, by numbers. But if we found, on that principle, that the share allocated to one religious body was so small that it would not be of any appreciable benefit, we gave something in addition which would make it of appreciable benefit. Turning to the tables of the different religious denominations in the city and county of Limerick the Protestant share would be something very small, about one-twentieth in proportion to numbers.

Dean Bunsbury.—But I hardly think that the advantages of such an institution to Protestants is to be measured in the way you suggest. I think the Protestants had a very great interest in this establishment, although they were few, the establishment was there, and they had the full and entire advantage of the whole or it.

15. Rev. Dr. MOLLAY.—Suppose it were now possible to estimate the present value of the public endowment in Mungret, how would you propose to spend it in accordance with the public interest, taking into account the object for which it was first given.

Dean Bunsbury.—It has been suggested in the document we sent forward, that the present holders of Mungret should be allowed to purchase the public portion of the endowment, and that the trustees should be called upon to carry out their trusts with regard to that endowment. It was originally given for the purpose of agriculture, and if it is useless to establish an agricultural school or college, then let it be devoted to un denominational education.

Bishop O'Dwyer.

22. I think it would curtail our proceedings if we had a preliminary question decided with respect to Mungret. I think the question arises whether there is any fund at all in Mungret held by the Jesuits at present, on which any action of the public have any claim whatsoever. The Jesuits got into Mungret under an Act of Parliament, and a scheme sanctioned by the Lord Lieutenant. The trustees had charge of these lands and buildings for public purposes, and looking about as to the best use in the public interest of this, they formulated a certain scheme, and Mungret is being worked under that scheme. The Jesuits went in there in perfect good faith, and in the open day before every one at the instance of these trustees, to use the places as the trustees and they thought for the public good. I venture to suggest it is a question in the first place whether in that state of things the Jesuits should not be allowed to hold these buildings for the public purposes for which they got them from the trustees, and if there is an objection to be made, now is not the time. The scheme under which the Jesuits set was advertised in the papers, all parties were asked to object; no objection was made by any one either Catholic or Protestant in the city or the county of Limerick, and I think it rather late in the day now to object. Therefore I would ask you to let us know first whether you consider there is a sum of money the public have a claim on.

23. Lord Justice FRANKLIN.—My lord bishop, that is in another shape the same question that Sir Stephen de Vere asked. The question whether the Jesuits got in under the scheme is the same as whether their title is derived from a valid exercise of the power that the Act gave. I am most anxious, no matter what may be the circumstances under which people spend their money, if they spend it in good faith, that they should not lose it; and we know the Jesuits have spent a large sum of money on this place on the faith

16. Rev. Dr. MOLLAY.—Would you propose that that un denominational education should be administered by a mixed board of Catholic and Protestants. Dean Bunsbury.—Is that an impossibility?

17. Rev. Dr. MOLLAY.—I ask the question. What is your proposition?

Dean Bunsbury.—I certainly propose that it should.

18. Rev. Dr. MOLLAY.—Would you have the Catholics and Protestants equally represented on the board or represented in proportion to the numbers of the population?

Dean Bunsbury.—That is a matter I have not gone into.

Rev. Dr. MOLLAY.—It is essential for the settlement of the question.

Dean Bunsbury.—That is a matter that the Commission in their wisdom should decide.

19. Rev. Dr. MOLLAY.—I thought you had prepared a plan for us?

Dean Bunsbury.—Not as regards Mungret.

20. Rev. Dr. MOLLAY.—But the public endowment of Mungret—that portion which represents the public endowment.

Dean Bunsbury.—I would have no objection to see that £7,000 handed over to the Roman Catholics altogether provided that the Protestants are treated liberally as regards Leamy's School.

21. Rev. Dr. MOLLAY.—The proposition that you made was to apply the public endowment of Mungret for the purpose for which it was originally established, and to apply it in the form of un denominational education. The question I am asking, with a view to getting your plan completely before us, is how you would have the board constituted which would give that un denominational education.

Dean Bunsbury.—Un denominational, certainly; as to the proportion of one denomination to another, I have not thought that matter out.

of the validity of the transaction under which they took possession. But there is also an important matter affecting what we are on now; put their title at the best, they are liable to pay a rent of £70 a year, which is not part of their interest in the premises, but is a charge on their interest. There also is a sum of about £2,100 which is not in the hands of the Jesuits at all and never was, but is in the hands of the trustees. The Jesuits nevertheless have an interest both in the rent and in the money under the terms of the scheme of 1883, by which they are bound.

"The net annual income at the disposal of the trustees should be applied by them in giving such burses or prizes as they might determine on. Such burses or prizes should be awarded after competitive examinations in such subjects as the trustees and managers should conjointly determine. If the trustees should think it they might apply portion of the income of the trust funds, including rents and profits, in the payment of an agricultural teacher, and for the purchase of scientific apparatus, in precedence of the application towards burses and prizes."

So, according to the lease and all these transactions to be unquestioned, the lessors would be still subject to the rent of £70, and the application of the money in burses and prizes, and in the payment of an agricultural teacher, is in the hands of the trustees, who are bound under the statute to include instruction in agricultural science in whatever they do.

Bishop O'Dwyer.—The point I wish to put is not a technical one, it is not whether this lease is technically right, or whether their claim is in accordance with the lease, but it is the equitable one whether a number of gentlemen in the county Limerick, Protestants and Catholics, having certain lands and buildings on their hands, that they wished to use for the public good in the exercise of their discretion publicly and under the control of the legitimate authorities in the country devoted that to the public

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Very Rev.
Dean Bunsbury.Bishop
O'Dwyer.

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Bishop
O'Donnell.

good in a particular way; whether five or six years after that in done it ought to be opened up again, and treated as if it was a thing to be seized by public individuals without any authority.

Lord Justice NAUGHTON.—It would be a very strong thing for us to do so.

Rev. Mr. Brewin.

Rev. Mr.
Brewin.

24. Allow me to say, on behalf of one body of the public, the Protestant citizens of Limerick, if there is only one family in the town it has a right to send its children to Mangret, and have all the advantages that belong to a training to be there given. I claim that no public money ought to be given only to one denomination, and our Protestant claim is not to a part of this endowment, but to the use of the whole. There is public money in connection with Mangret, and I say it is a misappropriation of public property to allow that to be exclusively used by any denomination, and more especially to allow it to be used by one denomination for the education of foreign missionaries. Surely this money is left for Irish purposes, putting aside the question of agricultural purposes. In the course of public life I have not met a greater scandal than to allow this money to be used for the education of home and foreign missionaries for the Jesuit body; I am bound in conscience to say that. I have a claim as a citizen upon the whole of that endowment. If I wish to have my boys educated for agricultural pursuits here in a fund provided by the Government for that purpose, and it becomes you, I speak with all respect, to see that that public right is from beginning to end thoroughly understood, and carried out in the appropriation of the property.

25. Lord Justice FITZGERALD.—On that view of the case we have had a good deal to do already during this Commission. "Un denominational education" as it is called, which I understood the Dean in one way to advocate, and which you very strongly put forward, practically means education given in a form in which the largest number of people in Ireland will take no benefit. Whether they are right or wrong in that, you and they probably would not agree, but we have never been able to see our way to saying that we were shaping a satisfactory system of applying public funds if we gave them in a form or on conditions which we knew that the majority of those entitled to claim benefit from them conscientiously refused to accept. That, as my brother Lord Justice has said you agree both in the Royal Schools and the Swoole School, where we had funds intended for the education of all parties, but of which, owing to difference of views, only one party

Lord Justice FITZGERALD.—Personally we are anxious, if we can, not only to avoid doing so, but to prevent its being done by any one else.

Lord Justice NAUGHTON.—We have no jurisdiction to determine that this lease is invalid, and we cannot deal with it as invalid.

And the advantage; and I, for one, decline to perpetuate a system of holding forth to the public as "un denominational education," what we know is education offered under conditions which only one denomination will take. Our difficulty is not theoretical, it is practical; and at present if Mangret was free of tenants, and if there was no school there at all, I don't believe we could set up there an un denominational school that would have any prospect of being more successful than Mangret Agricultural School was when I first saw it in 1878, when there was nobody there but a caretaker.

Rev. Mr. Brewin.—I do think there is a solution to this difficulty. If you put Mangret into trust for all the Catholics, letting them still keep the conscience clause open there, we shall be contented. There may come a happier time in Ireland when Protestants would be glad to avail themselves of such 'high culture' as they may get for their children under Jesuits and Roman Catholic teachers. But it is not fair to give that endowment into the hands of one body of the Roman Catholic denomination. The mass of the Roman Catholic denomination is as much split up as Protestants, you have your bishop's school, your Jesuits, your other orders, and I have not the slightest doubt that there is a strong controversy going on among these various orders on the point in question. Give it to them, but let them keep their conscience clause open. If there is any Protestant in the town willing to partake of this higher culture, which they voluntarily give there, give that Protestant the option of attending. But then, on the other hand, I think we ought to be saved from the annoyance of having Leamy's, which is a trust of a different order, again and again brought to a crisis as in this Commission. There is a way open, but it can only be met by the forbearance of both sides. We did not intend to say a word with regard to the Mangret Endowment, though some of us felt in our position as citizens very much aggrieved, but we have been attacked on the question of Leamy's, and we felt we were bound to say what was just and right. The Roman Catholics have a far larger claim in Mangret than we have; and they should let our own claim alone, and we would not have attacked their sheep.

Lord Montagu.

26. May I ask if there is any case in this country of a denominational agricultural school?

Lord Justice FITZGERALD.—I am afraid that there is no case of a successful agricultural school of any kind in Ireland except Glanara Model Farm and the Cork Dairy School.

27. Lord Montagu.—Are not both of those un denominational? I ask the question because I am naturally interested in Mangret as an endowment originally devoted to agricultural education. I have not had an opportunity of putting my views before the Commission on an earlier occasion, but I have written a memorandum which I propose, when opportunity arises, to read.

28. Lord Justice NAUGHTON.—Does your lordship think we could bring back Mangret to be an agricultural college—would such a thing be possible?

Lord Montagu.—I think the shortest way, if the Commission wishes, is to hear my views, I only interject that question to prevent any misconception arising, but I will save time by reading my views.

Sir Stephen de Vere.—I don't desire to continue the discussion about denominational or un denominational education, but only to supplement, not to correct, your

lordship's statement about the use to be made of the £70 a year. Your lordship was good enough to say that we were directed by the scheme to employ that in bursas, and that we did so. That is not quite accurate. We were first of all under an obligation to pay the charges properly incident to the landlord, such as the tithe rent-charge, those were paid in the first instance, then we expended considerable sums in the purchase of philosophical and chemical apparatus for which we have a distinct power in precedence and in preference to bursas.

29. Lord Justice FITZGERALD.—I read that, in answer to the Bishop, to show that the Jesuits have no claim upon either the £70 or the interest on the money fund until after the trustees had spent in precedence as much as they think proper for scientific apparatus and for an agricultural teacher.

Sir Stephen de Vere.—Your lordship is perfectly correct in the view you take of the interest the lessees have in that fund, they have no interest, except as we expend the money under the sanction of the scheme.

30. Lord Justice NAUGHTON.—But it must go for the benefit of the school.

Dr. TRAILL.—They don't pay it at all, you exchange receipts.

Sir Stephen de Vere.—We spent a great deal of money.

31. Dr. TRAILL.—How much are the receipts exchanged for?

Mr. J. G. Barry.—The whole £70.

32. Dr. TRAILL.—What do you pay taxes out of? Mr. J. G. Barry.—We have another fund.

Sir Stephen de Vere.—I only wanted to show that the trustees had employed the whole of the money for the benefit of the school, and that they have done so precisely under the sanction of the scheme.

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Lord Mountague.

Rev. Thomas Head, &c.

33. I would speak with regard to the remarks made by Mr. Baxendale; he has said that the foreign missionaries sent students are supported out of the public funds. The fact is quite the contrary, not one sixpence of the funds go to support the students, but, on the contrary, it would be utterly impossible to carry on the school in Mungrat only for the support we received from the revenues of the Apostolic students. The school not only failed as an agricultural school, but it also failed in the hands of Fr. Bourke who undertook to carry on an intermediate school because it could not pay its way, and it would be impossible in the old building as it stood to carry on such a school as one that could pay its way. The college as we got it was too small to afford sufficient accommodation for the number of boys that would be required to support such a school without incurring pecuniary loss. If we were depending on the fees we should obtain from the boys the highest possible average we could expect from them was about £34 a year. Now, considering the cost of servants, food, fuel, washing, repairs of the house, wear and tear of furniture, &c., the lowest average at which we could support these boys during the nine or ten months they remain with us is £27 a year, this would only leave us £5 a year profit. The highest number of boys the old house could accommodate, in addition to the necessary staff of professors, servants, &c., was seventy. If we multiply this number by five we find that supporting the house was exclusively a lay college and quite full of paying students, our total income to support the head master and his assistants could not exceed £150 a year; in fact, during the seven years we have been at Mungrat our average profits from the non-apostolic students scarcely reached £150 a year, and we never made in any year £200 a year profit from them. Yet, to carry on a high class University school to which we bound ourselves we should have a head master with nine assistants, and during the seven years we have had Mungrat we have always kept a staff of about that number. If we allow only £200 a year as the average salary of the head master and his assistants, which is less than in the ordinary endowed schools of the country, it is clear

that £1,600 a year would be required to pay them, if they were hired teachers. To meet this sum, if the school had no other resources than the profit derived from the pupils, there would have been as we have seen only £150 a year at the most. It follows from this that even though the house should always be quite full of lay boys all perpetually paying £34 a year, a most improbable contingency in the present depressed state of the country, there would be a deficiency of £650 a year. We may, therefore, conclude that if the trustees had to pay salaries to our professors, such as they would receive in Protestant schools of the same class, it could not be done without the trustees incurring a loss of much more than £650 a year, and probably of £800 or even £1,000 a year. That we are able to carry it on in spite of that is due to the fact that we live in community, and we have certain revenues from the Apostolic School, and also revenues that we receive, direct from the Catholic laity, as priests, but we would run £500 or £600 a year in debt each year if we were depending on the lay boys, and had the house quite full, so I say it is quite *impossible* to say we are supporting the boys for the foreign mission out of the public funds. On the contrary it is these boys that enable us to support the lay school for the Catholic laity of the county Limerick. We have at present thirty-eight lay boys, and we are quite confident next year we shall have fifty or sixty, the numbers are increasing rapidly.

Rev. Thomas Head, &c.

Lord Justice FRAGDEN.—Is a paper you sent us there is a very important statement on the same point; Lord Mountague might find that it bears on his views too:—

"Soon after we opened Mungrat College we engaged a trained agriculturist, who had graduated at Glasnevin under the late Mr. Baldwin, to cultivate our farm. He kept the farm with great care; just as high was the price of labour, and the other ordinary expenses, including his own salary, that the farm never paid his own expenses. Every year it incurred a debt from £30 to £50 to the College. If the apostolic students had not won for the College a large portion of the rent in prices we could not have kept the farm without considerable loss."

So that there have been attempts at agricultural teaching made, and they have always failed.

Rev. Dr. Wilson.

34. Permit me to make a remark in connection with Mungrat, in the direction that the different friends who are here should see their way to a give-and-take system, on the broad basis indicated by yourself and referred to by others. But with regard to this failure of the Mungrat agricultural school, I am nearly the oldest person in this room, I have been acquainted with Mungrat Agricultural School from its commencement, and I am not disposed to fall in with the remark that it has been of itself a failure, on the contrary I can testify that it was a success, and I think might have been made a great success. Your lordships were exceedingly unfortunate on the occasion of your visit when you found there none but one of the teachers. I have been there when there were upwards of thirty and forty boys.

us. The late Dean Keating, Mr. Hunt, and myself were among the parties who sent boys to that institution, there were Roman Catholic boys in large numbers, and Episcopalian, and Presbyterian—it was an undenominational institution. I believe that the building was never intended to accommodate more than twelve or fourteen boys, but the pupil teachers from the Model School were sent out to be trained in agriculture, the sons of farmers in the county attended in large numbers. If this Commission is about to look into that side of the question at all, and if the friends here don't come to some general understanding that we will give and take with regard to this whole matter; if you must take into account the original design of the institution, I think you ought to have fuller evidence.

Rev. Dr. Wilson.

35. Rev. Dr. MOLLAY.—At what date?

Rev. Dr. Wilson.—About twenty-five years ago, and even since.

36. Rev. Dr. MOLLAY.—Was it during the period before it was closed by the National Board or afterwards—it was closed on the 19th September, 1875?

Rev. Dr. Wilson.—It was long previous to that. I was present with the district inspector again and again, when we had upwards of thirty and forty boys before

37. Rev. Dr. MOLLAY.—The evidence we have at present is that after the period at which it was successful when you visited it and found more than thirty pupils there, it greatly declined, and the National Board decided on closing it, that we look upon as failure.

Rev. Dr. Wilson.—So do I, but that failure could be accounted for. I wonder the Commissioners had not before them the agriculturist himself, who so long and faithfully served there, working that institution, and who could testify he had thirty, forty, and fifty pupils,

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Rev. Dr.
Wilson.

and that the institution was carried on on endowment-natural basis.

38. Rev. Dr. MOLLOY.—Supposing we could ascertain the present money value of the public endowment in Munget, in what way could we best apply that money to the promotion of agriculture in Limerick?

Lord Justice FINLAYSON.—Would not the practical result of going into the inquiry you ask us to make, be with a view of re-establishing it?

Rev. Dr. WILSON.—I would much prefer that that aspect of the question was not raised, I should like there would be a giving and taking on both sides, with regard to Limerick and Munget. But if that is not to be the case, why should the county Cork have a good dairy farm, and that be a success, and why should we not have for the vast majority of the Roman Catholic farmers in Limerick and Clare and even Tipperary

such an institution as that in such a building. I don't wish at all to have the building diverted from the purpose to which it is applied, but if you must go back to it, why not utilize it, and why should we be so far behind the Cork people?

Rev. Dr. MOLLOY.—Because you have never done what the Cork people did. They formed a committee and subscribed money to carry on the Dairy school. The National Board had passed a resolution to shut up the Cork Model farm, and a committee of Cork gentlemen was formed, they subscribed money, and applied to the National Board for authority to carry it on with the endowment they had originally given. The National Board reconsidered their determination, and accepted the proposal, and the school in Cork has been carried on by the committee from that time to this.

Mr. J. G. Barry.

Mr. J. G.
Barry.

39. With regard to the alleged success of the agricultural school, you have the statistics before you for 30 years; the highest number of resident pupils at any one time was 14.

Professor DORRANCE.—Dr. Wilson said the building was not intended to accommodate more than 14.

40. Rev. Dr. MOLLOY.—Where did you get your figures?

Mr. J. G. Barry.—From the National Education Department, they are sent to us officially.

41. Rev. Dr. MOLLOY.—I will read one line of the report of 1878: "The school was opened in 1858, and the greatest number of pupils ever reached was 23."

Mr. J. G. Barry.—I say 14 from the return furnished to me by the Board of National Education, I have it under their hands and seal. It was handed in at the last Commission.

42. Rev. Dr. MOLLOY.—What is the authority for this table you handed in?

Mr. J. G. Barry.—I got it from the Board of National Education who were tenants and were working the school.

43. Rev. Dr. MOLLOY.—Could the explanation be that the higher figure includes the pupil teachers who went out from Limerick, and the lower figure does not?

Mr. J. G. Barry.—Quite so. The pupil teachers from the Model Schools went out, and were taught there, the National school of the district was held at the time in the building, and those were the pupils whom the reverend gentleman saw, not the resident pupils attending the agricultural school at all.

44. Rev. Dr. MOLLOY.—Did they not learn agriculture?

Mr. J. G. Barry.—No, they were only pupil teachers and the boys attending the National school.

Rev. Dr. WILSON.—I am not referring to the school of which Mr. Barry has just spoken at all, but I am referring to the young men, the sons of farmers, from the country round about, in addition to the pupil teachers from the Model School, and the resident pupils of the school under Mr. Kenny.

45. Professor DORRANCE.—Is there any distinction to be drawn between the pupils resident in the institution and the pupils who went there from day to day to receive instruction?

Mr. J. G. Barry.—There were no pupils who went there from day to day to receive instruction in agriculture, they went there to the National school alone.

Rev. Chancellor Gubbins.

Rev. Chan-
cellor Gubbins.

46. Might I say one word, I am old enough to recollect how Munget was carried on. I remember when there were several agricultural students there. I also would draw your attention to the fact that there was a mill, so to speak, made upon the Model schools of our county as well as through Ireland. The Jesuits, I don't blame them for it, came in as it were at a bound, and they purchased every Munget School. The trustees seemed not to be sufficiently alive—I don't know for what reason—to their position, and they yielded to the Jesuits, and they got the school, but I don't think it is fair to say that the agricultural school at Munget failed.

Lord Justice FINLAYSON.—The very dates would show you that that observation is not accurate. It was given up by the National Board altogether in 1878. The first letting was to the Rev. Mr. Bourke and the Jesuits did not come in until 1882.

Rev. Chancellor Gubbins.—I am a Limerick man, and I am now in my eighty-third year, and I ought to know something of this county. I think if the trustees had been alive to the great necessity of every class, the agricultural school would now be prosperous.

Lord Montagu.

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Lord Montagu.

49. My Lord Justice, may I venture to endorse your appeal not further to follow the unprofitable discussion into the failure or non-failure of Mungret as an agricultural school. I regret I have not had an opportunity of putting my views before you at an earlier stage of your inquiry, but it is only within the last few weeks that my attention has been called to the matter. My remarks have reference entirely to the Mungret endowment, of which the first Lord Montagu was one of the original trustees. Having no connection with the city, I do not wish to offer any opinion as to the other two endowments in question which are both clearly city endowments. Mungret on the other hand is essentially a county endowment in the origin, and was in the beginning devoted entirely to agricultural education. At the outset, I must respectfully dissent, as regards Mungret, to the almost exclusively sectarian complexion which you seem to give to the inquiry on page fourteen of your memorandum of 10th August, 1889. Mungret was essentially unsectarian in its inception, and though I gladly recognise the valuable educational work done there by the Jesuit College under the present scheme, which is practically sectarian or denominational, and have no jealousy of that principle in regard to literary education in its higher branches, I submit that agricultural education can only be treated in this country on an unsectarian basis. The only two agricultural institutions in this country are on an unsectarian basis. I am aware, however, that agriculture has been gradually receding into the background in the successive schemes adopted at Mungret, and that notwithstanding the efforts of the trustees, and of the present lessees, this branch of education in its higher and theoretic forms has latterly fallen here as elsewhere in Ireland to attract students, though I believe the system rendered efficient service for many years when first started. As the cause of the failure I will only say that such schemes appear to have been too ambitious, and not sufficiently practical, in proof of which assertion I need only point to two facts, the remarkable vitality which has been infused into the Cork and Dublin schools by the concentration of their energies on the practical details of dairy industry, and, secondly, it is hardly too much to say that the depression in dairy districts on Ireland has been caused by the splendid dairy schools set up by the State in Denmark, an example which is being rapidly followed in England. At my role agriculture still retains a place in the Mungret curriculum, and it was one of the conditions of the existing lease that it should be taught. Why was it so retained after two failures? Surely because this was the sole object of the original endowment, not forty years old. I make no complaint of the trustees, or the present lessees for the failure which I believe they frankly acknowledge, but I cannot see how that failure can be made a reason for abandoning the attempt which on new lines, and in the light of the experience of our competitors both in England and abroad has been (in a limited sphere it is true) crowned with success. The lessees now seek to be relieved from the obligations of their lease to teach agriculture, which I understand is a considerable tax on their resources. I entirely agree that this study cannot with advantage be combined with the higher literary education, which they so efficiently impart. I applaud their penetration in recognising, and their wisdom in avowing the fact. But I cannot admit that Latin and Greek ought to be taught to our agricultural population, to the exclusion of their own business in life, nor is there any reason why the latter instruction should not be given elsewhere than at Mungret within the county. I am quite content they should be relieved from teaching agriculture, but they can hardly expect under these circumstances to retain the endowment originally devoted to that purpose, and which they received on the condition of giving that instruction. Nor can I suppose that they will propose to continue the present system which they themselves admit to be costly to themselves, and a failure in affording the ad-

vantage to the farming class intended by Parliament and the Lord Lieutenant. I therefore submit that if the lessees be released from teaching agriculture, which would undoubtedly be for the advantage of Mungret itself in an educational point of view, as well as for the interests of agriculture, the endowments intended for promoting agricultural education should be released and devoted to that purpose.

50. Dr. TRAILL.—You would propose that the Jesuits should purchase out the interest by paying the present value of the original £7,000?

Lord Montagu.—Yes, and that £7,000 should be set apart for agricultural education. That is on the supposition that the lessees are to be released from teaching agriculture; if they are not so released, which it appears is a common sense matter that they should be, I think it would be unfair to them to go behind their lease in that respect.

51. Rev. Dr. MOLLOR.—Have you any suggestion to make as to how we could provide a scheme for the administration of that fund for agricultural purposes?

Lord Montagu.—I have not got any scheme out and dry, but I quite take to heart the report that was administered by you awhile ago to the public of this county for not having taken the opportunity in 1879, or was done in Cork, of getting up a dairy school to Mungret. It was not done at that time, but I think we might now be allowed to mend our hand. Within the last ten years a great deal has been learned about dairy education, and the importance of it is now recognised not only by the upper classes but by the farmers themselves.

52. Rev. Dr. MOLLOR.—Then would it meet your lordship's views if the fund which we taught and available for agriculture were given to aid local efforts towards the establishment of a dairy school in this county?—Yes.

Rev. Fr. HEAD.—Under our scheme agriculture is to be taught, but only as a secondary matter, and it is distinctly stated that the primary object is to give a university and higher education, and we are only bound to teach agriculture as we teach French. The valuations made lately by the valuer sent by the Commissioners is £200 a year.

Lord Montagu.—And the money besides, £5,000.

53. Rev. Dr. MOLLOR [to Father Head].—I think your experience is that when agriculture was made a secondary subject of education in a classical school, agriculture gradually dwindled away to nothing?

Rev. Fr. Head.—Quite so. We are only bound to keep two English acres for farming purposes, and originally we were only bound to keep half an Irish acre under tillage. It is quite clear then that agriculture must form a small part of the value of the endowment at present as given for educational purposes because it is only a very secondary object, and those who wish to have it applied for agriculture could not on any account claim the whole of it.

54. Dr. TRAILL.—How much would you be prepared to pay for these two privileges you ask for, one to get rid of the liability to teach agriculture, and the other to make it an exclusively Roman Catholic school—would you not be prepared to pay a good deal of money to secure both these advantages?

Rev. Fr. Head.—Not a good deal of money. We think we are in equity entitled to be allowed the endowment. We came there, and understood we had a valid lease, and on the faith of that lease in order that there might be sufficient accommodation for the students we spent £15,000 or £14,000 which we never would have spent.

55. Dr. TRAILL.—Unfortunately that was contrary to the words of our Act, passed in 1855, which says you are not to build without the consent of this Commission. No doubt you did not do it knowingly and I don't want to confiscate your money, I think you ought to get your money?

Rev. Fr. Head.—The contract was entered into before 1855, and we were committed to the builder.

56. Dr. TRAILL.—We had it in evidence that the

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works were executed since the passing of our Act?—They were in course of execution—the contract was signed in the beginning of 1883, the chapel was commenced about 1883.

Lord Justice NANCE.—The Act did not prevent them from continuing any works begun before the passing of the Act.

Rev. Fr. Head.—Under the scheme under which we are acting we are entitled to no compensation for improvements, yet it was absolutely necessary for us to spend £1,000 the first year we came there.

Dr. TRAILL.—I don't want to confiscate your money, but I think it would be worth your while to pay for getting rid of these two hampering conditions, I don't say that you are to pay cash but to have it set off against other moneys you are claiming.

Bishop O'Dwyer.—That is another matter, that has nothing to do with them.

Dr. TRAILL.—But as a Protestant I don't make any difference between the Bishop and the Jesuits.

Rev. Mr. Bamford.—Is it a fact, as the Jesuit Father says, that the law itself has made the change from agriculture to educational purposes?

Rev. Fr. Head.—There is an Act of Parliament behind it.

Rev. Mr. Bamford.—There is not.

Dr. Justice FITZGERSON.—I read that Act for Sir Stephen de Vere, and it is one of the difficulties the trustees are in. The Act of Parliament, which is in force and which governs both the Lord Lieutenant and the trustees, provides that the property of all kinds belonging to Mungret shall be used and applied under the control and direction of the trustees to such purpose of instruction, including the instruction in and the promotion of agricultural science, as to the Lord Lieutenant shall seem meet. And the Lord Lieutenant has declared that the teaching is to include agricultural science.

Rev. Mr. Bamford.—But my point is, that while agriculture is established it does allow another kind of education also. That is an answer to Lord Mansfield's proposal that this money should be applied to agricultural purposes only. My contention is it should be given to general education.

Very Rev. Dean Sanbury.

Dr. Justice FITZGERSON.—The trustees ask, but not the trustees, that if the lease shall be determined it shall be competent for the lessee to tender a fixed sum to the trustees.

Mr. Barry.—The lessee wish to have the option of doing so.

Lord Justice FITZGERSON.—The lessee ask, but not the trustees, that if the lease shall be determined it shall be competent for the lessee to tender a fixed sum to the trustees.

Dean Sanbury.—I thought that the Roman Catholic authority were prepared if they had the exclusive control, their own interest acknowledged, and the whole thing handed over to them, to pay a sum of money in lieu of the public money.

Dr. Justice FITZGERSON.—The two things are quite distinct. We want to know first how the trustees propose that this new corporate body should be formed, and then on what terms it should be formed as regards other denominations.

Sir Stephen E. de Vere.

Dr. Justice FITZGERSON [to Sir Stephen de Vere].—You propose that the lease should be amended, so as to be made in the name of the lessee as an incorporated body—what do you mean by that, how are they to be incorporated, and what are to be their rights as against the exclusively Roman Catholic trustees whom you propose?

Sir S. de Vere.—This paper which appears in my name contains the proposals agreed to by the whole Board of trustees, but I am quite satisfied to take the full responsibility of it. I don't find in that paper any recommendation that Mungret is to be, or has

Dr. Justice FITZGERSON.—I have told you already we are not bound by the provisions at all, if we think they cannot be beneficially carried out.

Rev. Fr. Head.—This fund was not originally contributed for agriculture at all, it was the profits of a loan fund.

Dr. Justice FITZGERSON.—When it was first given, it was intended for agriculture beyond all doubt. Will you kindly all bear in mind, that our business went on, if it is to end at all, in the actual production of a scheme defining the mode in which this property is to be disposed of, and therefore what we want now is help as to what the provisions of such a scheme ought to be. We think we ought to begin with the trustees; they are in possession, and they are legally bound to carry out those trusts. They have already given us a statement of their views, and if they have anything to add to it, we shall be glad to hear it. The first proposal of the trustees is to get rid of their two Protestant colleges, and to create an exclusively Roman Catholic body of trustees. Next they propose that the Rector of the institution in future shall be appointed and removed by the head of the order of which he professes to be a member, that is, to transfer from the existing mixed body of trustees, and from the proposed Roman Catholic body of trustees, to another and outside authority, the appointment of the head master which under both the Act of Parliament, and the scheme, is at present vested in the trustees and no one else. In the next place they propose that the lessee shall be amended so as, if possible, to be made to the lessee as an incorporated body. They therefore want us to substitute for the lessee, who are at present Mr. White of Nansie, and two clerical gentlemen, an incorporated body of the same class to which the Rector belongs, representing the people who are teaching. What we should like to hear is any observations that Sir Stephen de Vere may wish to make as regards the ground of the claim to turn the trustees into a Roman Catholic body, exclusively belonging to a religious order, to give the appointment of the Rector to the order to which he belongs, and to incorporate the lessee.

Mr. Barry.—The reason we proposed that this should be a denominational school was from the suggestions dropped here at the last public sitting. It was the drift of the whole of the evidence that it would be useless to open this school as a non-denominational and as practical men we suggested that the only way was to make it denominational.

Dr. Justice NANCE.—Supposing that this were now a perfectly open endowment, say a sum of money that was available for the entire population of Limerick, what would you say would be the claim of the different religious denominations on that?

Mr. Barry.—I really did not go into that question.

Lord Justice NANCE.—Because, if we give up teaching about the bush, all the claims put forward with reference to Mungret appear to be only a make-weight to maintain Leamy's School. As regards Leamy's the parties in possession are represented by Dean Sanbury, and we will hear him next, and we will hear the Bishop as representing the Catholics of Limerick then.

Very Rev.
Dean Sanbury.

Sir Stephen
E. de Vere.

been a denominational college. I find a recommendation, it is true, that the present Board of trustees should be reconstituted, and that the two ecclesiastical dignitaries should be substituted for the two Protestant trustees. But what are to be the duties of these trustees? The same duties, the same responsibility, the same position is to be theirs, that was the position, the duty and the responsibility of the present trustees. What was that? It was to take care that the lessee shall carry on the business of the college under the sanction, and according to the terms specified by the Lord Lieutenant in his scheme.

66. Lord Justice FRANKLIN.—I don't think that is so. The Lord Lieutenant authorized an intermediate school for pupils without religious distinction. Your own document says: "The object of the college is to prepare students for degrees in Arts in the Royal University, no pupils should be prepared for the Intermediate Examination." Therefore you are proposing to depart from the Lord Lieutenant's scheme. I don't understand what you mean by saying it is not to be denominational. The Rector is to be appointed and removed by the head of the Jesuit order, the trustees are all to be Roman Catholics and the Rector is to make all the by-laws. I would call that a denominational institution.

Sir S. de Vere.—I have never proposed that it should be a denominational school. What I have proposed is that the Board of Trustees should carry it on according to the scheme of the Lord Lieutenant as that scheme may be now, or as it may be amended by your Commission. The first and principal thing in the scheme is that there should be a conscience clause, that conscience clause I wish to maintain, and I will never consent to be a trustee of any educational establishment that does not retain and observe a conscience clause. Can it be said that a college which is strictly under a conscience clause is a denominational college, certainly not. A denominational college means a college the students of which are necessarily and exclusively of one denomination. But the conscience clause provides for the contingency of there being different sects, and not only that but it provides for their security. But I have never proposed, and I don't know that it has ever been proposed by anybody that Mangret College should be a denominational College. I propose that it should be a college under a board of trustees with a conscience clause.

67. Lord Justice FRANKLIN.—Let me again call your attention to your own paper. There is no conscience clause suggested in that paper at all, the Rector is to be the person to make the by-laws for the management of the College, and the buildings on which the houses' money is spent are to be reserved for the accommodation and training of students in preparation for foreign missions. It is certainly now to me that your proposal was one for an undenominational College with a conscience clause.

Sir S. de Vere.—That is the position I maintain, it is undoubtedly in the Lord Lieutenant's scheme that there should be a conscience clause.

68. Lord Justice FRANKLIN.—But this document is headed "Suggestions for a new scheme."

Dr. TRAILL.—It is stated to be "for the purpose of giving a permanent existence to a great Catholic College."

Sir S. de Vere.—With a conscience clause.

69. Dr. TRAILL.—The Bishop would not recognize a conscience clause in Protestant institutions as giving facilities to Roman Catholics, and his lordship will hardly expect a conscience clause to be workable in a Roman Catholic College.

Rev. Dr. MOLLOY.—A Catholic College under an exclusively Catholic Board of which all Professors are Catholics, and the Rector belongs to a religious order, and is appointed by the head of the order, we should regard as practically a denominational college, whether it has a conscience clause or not. But it is hardly worth while disputing about words.

Sir S. de Vere.—I regard an undenominational college as one that there shall be liberty to all to enter and have the advantage of.

70. Lord Justice FRANKLIN.—What about the proposed incorporation of the houses?

Sir S. de Vere.—I don't lay any great stress upon that.

71. Lord Justice FRANKLIN.—But it is very important; the whole protection of the houses in respect to their expenditure turns on it.

Sir S. de Vere.—It would give them an opportunity of acting as a body, of saving and being saved, and it would get rid of a good deal of difficulty of several kinds. But as to the arrangement of the teaching I don't think it would make any difference at all.

72. Dr. TRAILL.—If the houses were incorporated to hold the property, what would the trustees hold then?

Sir S. de Vere.—That is a matter of law; I should think the way in which it should be done would be to give incorporation to the trustees of the Jesuits' lease.

73. Dr. TRAILL.—That is not what you ask, you ask that the houses should be incorporated.

Sir S. de Vere.—But the trustees of the lease represent the Jesuit body.

74. Lord Justice FRANKLIN.—What would be the functions of the trustees?

Sir S. de Vere.—To see that the scheme of the Lord Lieutenant, which is the charter of the College, is faithfully observed, and to execute such powers as they have. One of those powers is most important, that if the scheme of the Lord Lieutenant was persistently violated they should have power to revoke possession.

75. Then the trustees would have nothing to do so long as the houses observed the new scheme?

Sir S. de Vere.—Except to dispose of the surplus of the money, the interest of £3,000.

76. Dr. TRAILL.—Would it not be very hard to dispossess a body if once incorporated?

Sir S. de Vere.—I think it would be easier to dispossess them if they were incorporated and not doing their duty, but really these are matters of law that I can hardly be expected to answer.

77. Lord Justice FRANKLIN.—If we came to the conclusion that in reality this is to be a denominational college, whether you have a conscience clause or not, have you any views as regards the claims, if any, of other denominations in consequence of Mangret being made a Roman Catholic institution?

Sir S. de Vere.—I must now go back a little, but your question makes it necessary. This was originally an agricultural establishment, for agricultural purposes, and for other aims. It failed. It has been said that it did not fail. But you have very properly said that that hardly concerns us at present, and when the Board of National Education, who had charge of it, threw up that charge and said they would have no more to do with it, and threw it a dead weight, a rotten encumbrance, on the hands of the trustees, there is no doubt they thought it a failure, and that it was—an utter failure. It remained for a long time in the hands of the trustees, they felt that it was a public trust, and the whole question with them was how they could execute their trust. None came forward to undertake the charge which had been found too heavy for the shoulders of the Board of Education. We made a letting at length to the Rev. Mr. Bourke, that was an entire failure, and it was necessary for the trustees to assume the very disagreeable position of having recourse to the law to regain possession of the land, and of the school premises. Then the Jesuit body came in, and proposed to take the establishment, and promised to conduct it according to the scheme that had been propounded or was to be propounded by the Lord Lieutenant and sanctioned by the Treasury. Now, I am coming to the point that answers your question, you asked me what was to be done with the public money invested in Mangret. How much money is to be given to the different parties. I know of no money that is to be given out of Mangret to any person. When we, the trustees, made the lease, it was made by us on the authority of an Act of Parliament, and all the preliminaries required by that Act of Parliament were faithfully performed, the principal and essential one was that the terms of the letting under the authority of the Act were to be settled by the Lord Lieutenant. They were so settled, and under the authority of that Act, and under the authority of that Lord Lieutenant's scheme a lease was made. Now a lease consists of two parts, there are the lessors, and the lessees, and there are covenants and responsibilities on both sides, and there is something given, and something to be received, by each side. What did we give? We gave under that lease the whole of the old endowment, except the rent that was reserved out of the land, £70 a year, and the proceeds of the £1,000 invested to meet

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S. de Vere

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 Sir Stephen
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landlord's liabilities. Everything else that was in the hands or power of the trustees was handed over to the Jesuit body in consideration of their performing certain covenants, one of those was that they were to conduct the school according to the scheme of the Lord Lieutenant. Another was that they were to expend a large sum of money of their own, the latter was not expressed in the lease, but it was understood. Having entered into possession under that scheme they have carried out the provisions of it faithfully, and experience has shown that they have done their work well, for there is not a College in Ireland that has achieved such eminent success as the Maynooth College—a rising College under great difficulties—has at the University of Education. They have also erected buildings out of their own pockets to the amount of £12,000 or £14,000; they have expended besides out of their own pockets a sum which the Rev. Mr. Head has shown involved a loss of £850 annually to them in carrying on this establishment. Therefore I say they have done their duty and we have done ours. We have handed over to them all that we had with the exception of what I mentioned. Those old buildings, and this old endowment were the consideration for the lease, those we have handed over. You ask me now what is to be taken from the lessees and given to others. I say not a farthing. You have no right to touch the money, to touch the endowment, to touch the buildings, you have no right to touch what is the property of the Jesuits as much as any man's private property belongs to himself. What we have a right to do, and what you are called upon to do is to make, if you think fit, such necessary alterations in the scheme as will not affect the invested money interests of the parties, and which will not be such as will make it impossible to them to carry out their scheme. Your leniency in your very early observations to-day made two observations I fully concurred in, and was delighted to hear. The one was that you respected the equitable claim that these gentlemen have for the money that they have expended for public purposes. The other was, if I caught it right, that you would be no party to any alteration in the scheme that would make it practically impossible for the lessees to carry out their duty as their consciences required. I will only make one or two observations further. It has been said "true that lease was made, and your are bound by its provisions, but that lease was made under conditions." And some gentlemen say, "one of the conditions was that it should be an undenominational school, but you have made it a denominational school." The power to decide the mode in which the undenominational character was to be affixed to the school was the Lord Lieutenant. The Lord Lieutenant fixed its undenominationality by a conscience clause; that conscience clause has been faithfully observed, and therefore if the College has been made denominational, which I deny, it has been done by the Lord Lieutenant and not by the lessees. The second point that I would remark on is, it is also said, "Oh, but you are bound to keep up agricultural education, and you have not done it." My answer is that the assertion is contrary to the fact. The Jesuits have appointed a very skilled person at a very high salary for the purpose of cultivating the severely-acre farms. So far as the teaching of the science of agriculture goes, it is very difficult to ingraft it upon a literary system, and impossible to do so effectually where the pupils cannot be expected to assist in the practical working of the land; but so far as it could be ingrafted, it has been ingrafted by the lectures which have been regularly delivered upon agricultural chemistry. If the students take no interest in these lectures, and are necessarily kept to other and higher work, it is a very unfortunate fact that the scholars that go to that school do not care for agricultural instruction, and if you could get rid of the agricultural instruction from the scheme I think that it would be a great blessing, because it would be the converting of a great sham into a great reality. Only two acres are reserved under the scheme. How can 80 or 100 boys be practically employed upon them, and if they should, how can

they compete at the University with those whose time is not so taken up, but is devoted to the curriculum of the University? I should be very glad to see it, but I should be very sorry to say that any more made in that direction, either theoretically or practically, broke the lease.

78. *Rev. Dr. MOLLOY.*—If we applied to classical education an endowment originally intended for the agricultural education of the people, can you suggest how we might make good the loss to agricultural education in Limerick?

Sir S. de Vere.—I should say we are not bound to make that compensation. If a loss has been suffered it has been caused, not by us, but by an Act of Parliament which altered the original trusts.

79. *Lord Justice Fitzgerald.*—I really think there is between us not so much a difference of principle, as a question of fact. Lord Montagu says if you are relieved from agricultural teaching, you should give up the endowments that are still available for it. You say on the other hand "We want to be relieved from the agricultural teaching, because it is a sham, and the endowments are already appropriated to other purposes." The whole question is whether they are or not. The Act, and the Lord Lieutenant's scheme, put Father Head under responsibility for agricultural teaching, as it comes round in the end to the question, whether there is, at this present moment in the hands of the Jesuits, who are using it for literary teaching, a fund, of which the existing trust is agricultural. If there is, and they want to be relieved from that trust, we cannot discharge the money from that trust, but we ought to give it, according to Lord Montagu's view, for the purposes of the trust. If, on the other hand, the trust has been got rid of, they ought to keep the money; and I say, with full reservation of a right to reconsider my view, that I think you exaggerate the extent to which the existing statute or scheme justifies you in throwing agricultural education and undenominational education overboard, just as you omit to take into account that you now propose to get rid of two Protestant trustees out of five who appear to be the representatives in some way of the old agricultural trust.

Sir S. de Vere.—With regard to getting rid of the liability to teach agriculture, and asking us to pay something for that remission, all I can say is, that we deny any liability, legal or equitable to pay, we have no thrown undenominational education overboard as long as we faithfully observe the conscience clause imposed by the scheme of the Lord Lieutenant.

80. *Lord Justice Fitzgerald.*—The question is not of paying; it is whether you have money at present that is bound by an agricultural trust. If so, you have no claim, either at law or equity to apply it to any other purpose?

Sir S. de Vere.—I must have very much failed to express my views if I gave you any reason to think that I admit for one moment that we had not fulfilled the agricultural trust. I state most distinctly and positively, that we have fulfilled, and are fulfilling it to this day as far as it could be reasonably expected.

81. *Lord Justice Fitzgerald.*—You have done your best, and the result has been as you said yourself "a great sham."

Sir S. de Vere.—It has been put that if we are relieved from this agricultural liability we ought to pay for it. I say we have no money out of which we can pay it, we cannot pay it. We would very much prefer to get rid of what I think is a sham, and if you think we should pay for that remission, leave it as it is.

82. *Dr. T. C. BELL.*—But supposing you are not asked to pay it in cash, but to leave other money in Protestant hands as a set off?

Lord Justice NABES.—That would be a curious way of satisfying the agricultural claims of the county Limerick.

Sir S. de Vere.—It is the same thing whether we are asked to do it directly or indirectly. Indirect arrangements might satisfy some very astute minds, they don't satisfy mine. If we are to pay, let us pay, but don't let us pay by a juggler.

Lord Montagu.—I did not propose that the trustees should pay anything, but the lessees. It is one of the terms of the lease that they should give agricultural instruction.

Sir S. de Vere.—I have only to ask you to look at what the position of the College would be, as regards the public interest, if you should put terms upon the present holders which they cannot accept. If such unfortunately should be the fact—I now speak for myself alone,—if that unfortunately should be the fact, I see nothing that would prevent the present lessees from surrendering a farm and an establishment which they could no longer hold with benefit to themselves or to the public, demanding full compensation, and receiving it from somebody or other, I am not prepared to

say where, for what they have laid out, and leaving upon our hands, or upon the public hands, a vast amount of buildings that they could turn to no profitable use, and a vast amount of debt which they will have incurred in paying the compensation due to those who have retired. I have no more to say. I appeal to you as lawyers, upon the question of the validity of that lease, and upon the money rights of the Jesuits, under the lease, but I appeal also, and shall appeal, if necessary, to the legislature of this country. I believe it will not be necessary to do so, because I am now appealing to a tribunal which contains men who respect the security of the law, and who respect the rights of conscience, and I believe I shall not have spoken in vain.

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Mr. J. G. Barry.

You asked about the object of the trustees in seeking to have the lessees incorporated; I think the intention was that they would be incorporated as a governing body for the school alone, and we, the trustees, would have to apply the funds.

Lord Justice FRYGROVE.—That is what I understood your plan really to be; that the trustees shall have no function except to see that the scheme is carried into force, and that all the provisions for education shall be in the hands of an incorporated governing body appointing the Rector from their own order; I think that is a denominational institution.

Bishop O'Dwyer.

84. I substantially agree with a great deal of what Sir Stephen de Vere has said. The Jesuits, as a private body, having got Mungrat on certain terms should have their rights in that reserved, and I do think they have a right as private owners to the whole endowment of Mungrat as it stands. I think the very best use that could be made of it was made for the public interest at the time. And therefore I don't think it is a question as between Catholic and Protestant, but it is between the Jesuit body as a private body, and the public that the interest is at stake, and you have to settle between them and the public as you would between any other private individual and the public. I don't think there can be any question whatever of set off on that account. If you have to deal with another endowment in Limerick after this, I think it would be an utterly unfair thing to misapply some of the money of the other endowments in Limerick in order to compensate for the misapplication of any endowment in Mungrat. Treat Mungrat absolutely on its merits. We the Catholic body in Limerick simply ask you to consider that you have in Mungrat College a body of teachers who got it under certain circumstances, and we simply ask that justice be done to them, and in your dealings with them don't consider whether they are Catholics or Protestants. I believe that Mungrat is at this minute a denominational school. It has been so from the day it got into Father Bourke's hands and the Jesuits' hands, and any change you make in this scheme may make a change on paper, but for all practical purposes it is and has been the same, and as far as I am concerned, and as long as I am Bishop of the diocese, I will never allow any other but a denominational college or a denominational school in the diocese. We will not have mixed education either in Mungrat or any other place, and I see no meaning whatsoever in putting down a conscience clause on paper when we know very well in our hearts that no one will ever come there to avail of the conscience clause, so we had better deal above board with the thing.

85. Rev. Dr. MOLLOY.—Of course your lordship knows that the observance of a conscience clause is necessary to get result from the Intermediate Education Board?

Bishop O'Dwyer.—If it be, it only shows what a sham the whole thing is. Through the whole country they are trying to pretend to themselves and others that they have un denominational education, and they know they have not. If you determine that that contention is not just, say that there are attached to the property at Mungrat

83. Dr. TRAILL.—Who would be the legal owners of the property, the trustees or the lessees?

Mr. J. G.
Barry.

Lord Justice FRYGROVE.—The trustees would be the owners of the reversion upon the lessees, interest, and the lessees would be impenetrable as long as they observed the scheme. It would be just like the case of a landlord who let a house to be used for a particular trade on a fee-farm grant, with power to re-entertain if it ceased to be used for that purpose. I think we might now hear the Bishop, and then the Dean.

certain agricultural trusts then it will be for you to say what is to be done with this, and if it is ascertained that there is something at Mungrat attached by an agricultural trust I entirely agree with what Lord Montagu says, and hold it should be devoted to agricultural teaching. And I hold it ought to be devoted to agricultural teaching in the county because it is evident that agricultural teaching belongs to people living in the county and not to people living in the city, and engaged in urban pursuits. You ask then if there is a fund that is attached by an agricultural trust that is obviously un denominational, in which Protestants and Catholics have equal rights, and if you make Mungrat an absolutely denominational college, how then will you provide for the rights of the Protestants to their share of that money. What I venture to suggest is this. In the National system throughout the country now there is a vast improvement in the increased attention that they are giving to practical training, and a part of the National Educational system now is the teaching of agriculture in all their schools, not only theoretical but practical agriculture. If it is ascertained as the result of this inquiry that there is money belonging to Mungrat College available for agricultural purposes I say that it ought to be put at the disposal of the National Board, and that they should establish a series of prizes for the teaching of agriculture in all the National Schools without distinction of Protestant or Catholic throughout the county, and so you will provide for agriculture and for the rights of all denominations.

86. Lord Justice NUNN.—Is there a demand, do you think, for that kind of thing amongst the farmers of the county Limerick?

Bishop O'Dwyer.—I think that if there is not a demand there ought to be a demand. I quite agree with Lord Montagu that the people want agricultural teaching. Understand of course, that all I say is subject to the condition that there is money for the purpose, but if there is money found to be available for the purpose, I believe it could not be better applied than to improve the agricultural knowledge of the people throughout the entire county irrespective of creed.

87. Dr. TRAILL.—Don't you think the farmers generally think they can teach agriculture to their own boys at home?

Bishop O'Dwyer.—Undoubtedly they do, and the less they know, the more confident they are of their powers to teach, but I think they would be far better taught in college.

Bishop
O'Dwyer.

Very Rev. Dean Sandberg.

88. Lord Justice Fitzgerald.—Now, Mr. Dean, you have heard very clearly and fully the views on the point as to which we are anxious to be helped; it is now disputed that there is any portion of this Munget money at present bound by an agricultural trust, and it is also disputed that there can be any set off in favour of the endowment or any diversion of funds from the present lesson on the ground that they have spent their money on the fifth of getting the whole endowment.

Dean Sandberg.—I don't know that I have much to say as regards Munget. I am not here to oppose it, but I stand up here to support the claims of the Protestants as regards Leamy's School, and I would be quite willing to give up any claim that the Protestant community have on Munget, provided we are enabled to continue to enjoy the advantages we have in Leamy.

88a. Lord Justice Fitzgerald.—We will be glad to hear you fully in respect to Leamy's School when we come to it. Do you make any claim on the part of the Protestants to the existing Munget endowment, or is your claim merely that, the Roman Catholics having got Munget, you ought to get Leamy's. Then would come the difficulty that was raised by the Bishop, how can we mix up the trusts of one with the other. If you have a claim against the Munget Endowment you ought to get that money, either out of Munget or somewhere else; if you have the claim we must see what it is, and, if not, then we will deal with Leamy's by itself. You are the person to open Leamy's case because you are in possession there, as the Roman Catholics are in Munget.

Dean Sandberg.—I should be taking from myself very free ground if I abandoned any claim the Protestants have on Munget. When you remember the source from which the endowment originally came, you must admit the public have a very just claim on the advantages of it. It seems to me that the value of the portion of the endowment of Munget on which the public have a claim amounts to very nearly £7,000, it may be more or it may be less, it cannot be very much less. With regard to that I want to call your attention to the point Mr. Bonadale put forward, that it would not satisfy the Protestant claim to divide this money, and give them a portion of it in proportion to their numbers, that would be very small indeed in this part of Ireland where we are in such a small minority. The advantages of the institution as a whole should be considered. The advantages that it would offer, if it were an agricultural college, to the whole community ought to be considered, and not split up the advantages by dividing the money. This being so, we having a claim on the original endowment of Munget College, I venture to say that we would be very glad, as Dr.

Wilson has suggested, that an amicable arrangement could be made in such a way that we might give up our claim on Munget, in order that we might maintain our claim, and have it allowed on Leamy's.

89. Rev. Dr. Mulloy.—The endowment of Munget was originally for agricultural teaching for the sons of farmers; the Leamy endowment was exclusively for the children of the poor; and the rights of the poor to the Leamy endowment ought not to be sacrificed in order to make compensation for an endowment intended for agricultural education. I—I see that difficulty, but I quite understand that the idea of establishing an agricultural college was given up.

Lord Justice Fitzgerald.—Lord Montague's proposal, and if the funds exist there is a good deal to be said for it, is, that the endowments are still agricultural endowments, and ought to be applied for agricultural teaching, either in National Schools, as the Bishop proposes, or for a dairy farm.

Rev. Dr. Mulloy.—You urged very strongly that the claim of the Protestants was not for a fraction of the Munget endowment, but for the advantage of having an agricultural school to go to.

90. Dr. Traill.—You contend that if the money was transferred from agriculture to educational purposes then your claim is a fair set off.

Dean Sandberg.—Yes; I was not entertaining the idea that this Munget money should be devoted to agricultural purposes.

Lord Justice Naumer.—The persons entitled to the benefit of the Leamy fund are the poor of the city of Limerick.

Lord Justice Fitzgerald.—The poor in Ireland.

91. Lord Justice Naumer.—Well, it has been devoted principally to the poor of the city of Limerick—why should you take from the Catholic poor of the city of Limerick anything they have, to make up for a supposed loss that the Protestants of the county of Limerick have sustained?

Dean Sandberg.—By and by, when I speak about Leamy's, I think that I can show our proposal would not take any advantage from the Roman Catholic poor of Limerick.

Sir S. de Vere.—My lord, before you resume business, I have been very neglectful in not conveying to you, Lord Enly's apology for his absence, he is engaged as Vice-Chancellor of the Royal University in Dublin; he begged of me also to say that in his letter to you he made some slight mistake as to the number of lay and missionary students.

Lord Justice Fitzgerald.—We have got the exact figures from Father Head. The numbers in his return are nearly equal.

Rev. Father Head.—Thirty-eight lay and forty nine clerical.

LEAMY'S FREE SCHOOL.

92. Dean Sandberg.—I will begin by stating that we are not prepared to give up our claim to a portion of the endowment of Munget. I strenuously, on behalf of those I represent, maintain that claim. If, as was proposed by Dr. O'Dwyer, this money, earmarked for agricultural instruction, were scattered over the country, and given to National Schools with a provision that agricultural instruction should be given there, it would be a virtual handing over of that endowment to the Roman Catholics, because as the Bishop must be perfectly aware, the National Schools in our hands are very few indeed in this country, so I object most strenuously to that proposal. If this endowment is to remain earmarked as connected with agriculture, I believe that it should be devoted to the establishment of an independent school conducted strictly on undenominational principles. Now it seems to me, from the observations that have been made by Sir Stephen de Vere, that the position in which he stands is this, "we will take all we can get but we will give nothing." That is not the position I stand in today. I am fully prepared—representing the side that I do represent to say that we are ready to give and take, and

I should be too happy if we could come to some solution of this great difficulty that has cropped up amongst us. If this endowment of Munget is to remain earmarked and to be continued to the purpose for which it was originally intended, of course I can make no claim on it as a set off, but if it is decided that it is not expedient to establish an agricultural school, and that this money, originally intended for agricultural purposes, is to be devoted to ordinary educational purposes then I claim it as a set off, as I will show you it might be. Now I go to Leamy's school, and I want to impress upon this Commission at the start, that Leamy was a Protestant. It was stated here on the last occasion of your visit that he was a Roman Catholic. Since then I have made it my business to make inquiries as to the religion of the founder of the school, and I have been able to ascertain that he died on the Island of Madeira; that he was attended on his death-bed by the government chaplain, a clergyman of the Anglican Church; that chaplain after his death wrote a letter to Baron Fitz-Gerald, who was a friend of Leamy's, Baron Fitz-Gerald had that letter in his possession but it went to

England for some purpose or other. But there is no doubt whatever as regards this fact that Baron Fitzgerald did receive this letter, describing Leamy's death-bed from the chaplain who attended him, and I believe I am not mistaken in saying that Lord Justice Fitzgerald is aware of what I state in the fact. Another point I want to impress on the Commissioners is that Leamy not only was a Protestant himself but he entrusted the distribution of the residue of his property to the hands of Protestants and left them a very great discretion as to how that money was to be allocated for the purpose of education. When these executors refused to carry out their trust and it had come into the Court of Chancery, who were the persons that the Court of Chancery appointed to carry out this trust? They were all Protestants, they saw Leamy's intention, and they carried it out to the best of their ability. Now we have to deal with money that came from a Protestant source; it was given for the advantage of the poor, that I acknowledge. Dr. O'Dwyer made a point on the last examination that Leamy's institution at present was not carrying out the intentions of the founder, inasmuch as the poor of Limerick were not educated there. I say that this is not so, with all due respect to Dr. O'Dwyer, the poor Protestants of Limerick are educated there, and it is a great mistake to say that we have not any poor Protestants amongst us in Limerick. I regret to say that we have many of the class for whom this institution was, I believe, established, and who derive from this institution as it at present exists unquestionable benefit. We have Protestants who have been rescued from higher positions in life who try to maintain a respectable position; there are many poor Protestants in Limerick that you will see walking the streets with a respectable appearance and of respectable character who are hardly able to provide for themselves the necessities of life at home. These are the class of poor Protestants for whom we say Leamy's institution ought to be maintained. And when Dr. O'Dwyer said that we have no poor Protestants in Limerick, and that we are not carrying out Leamy's intention when we are educating this class I maintain Dr. O'Dwyer is not acquainted with the facts. Now the idea I think, in some persons' minds is that Leamy's endowment should be divided, and that portion of it should be given to the Protestant community and portion to the Roman Catholics. I believe that division of Leamy's endowment would be the destruction of Leamy's institution. How would you divide it in the first place? There are Roman Catholics at one side, and there are Protestants of different denominations at the other side. If it was only a question between Protestant and Roman Catholic the divisions might not be so difficult, but when it is a question between Roman Catholics and Protestants of various denominations, how are you to divide it? You may cut it up into five or six parts, but of what use would that be? So I maintain that if you divide Leamy's endowment you destroy the institution. It has been said that the Roman Catholics don't avail themselves of this institution. Here I will have to talk rather plainly, but I don't want to hurt the feelings of any person. Now, why don't the Roman Catholics avail themselves of this institution? Because they have been compelled by their ecclesiastical rulers to withdraw from it. At one time this school had thirty-seven Roman Catholics in it. The Board was for the most part Protestant. The first Chancery scheme appointed a Board of Protestants; that scheme was altered, and there were one or two Roman Catholics put on it—Lord Enly and Dr. Kane. That Board when they had the opportunity co-opted Dr. Butler, the former Roman Catholic Bishop of Limerick, and he took part in the management of the institution until he took exception to something in the management, I believe because a Protestant was appointed head master. The co-optation of Bishop Butler will show that the Protestant governors were not bigoted, but were disposed to be fair and liberal in the management of it. Well when Bishop Butler was annoyed

at something that was done, he gave an order that the Roman Catholics should be withdrawn. There were thirty-seven on the books at the time and they were almost all withdrawn—not all, but more than thirty of them. Since then the Roman Catholics have come back, and at the end of the summer vacation there were twelve Roman Catholic girls in the school, and one boy. We have now only three Roman Catholic girls in the school and one boy. Why did they withdraw? Because an order was made that they should withdraw and the parents of these children were told that if they did not withdraw their children from that school, First Communion would be denied them. Evidence is forthcoming of that fact, and if the Commissioners wish it I shall put them in the way of obtaining that evidence. Those facts I mention to show that this school was fairly well attended at one time by Roman Catholics. We have a Protestant master, and a Roman Catholic master, and the religion of the children is not interfered with. The directions of the Court of Chancery are carried out. Those directions were as regards religious instruction, that the Bible should be read without note or comment by the Protestants in a separate room provided for them, and that the Roman Catholics should read some particular books on the scriptures in a separate room.

93. Rev. Dr. MOLLOY:—What were the particular books?

Dean Sanbury:—The books approved of by the National Board. Those rules are strictly carried out now. I mention these facts to show you that we are endeavouring as far as we can to carry out the intentions of the Court of Chancery. Now if you take away Leamy's school from us, if you disturb its present constitution, you will take away a vast advantage from the poor Protestants of the city of Limerick, and if you divide it what will we get? We will get nothing. If you divide it according to numbers you may give us the building, but what use is it to us; you may as well throw it down, if we have no money to keep it up. Then again I believe that if you destroy Leamy's school as at present constituted you will deprive the Roman Catholic children of Limerick of a very great advantage. For I say, I give it as my opinion, as really arrived at, but after due investigation of its circumstances, that there are numbers of Roman Catholic parents in Limerick that would be sorry to see such a school destroyed, and that would, if they were permitted, and independent, send their children to that school at present.

94. Rev. Dr. MOLLOY:—How many Catholic children have you at present?

Dean Sanbury:—We have four, and those Roman Catholic children are attending notwithstanding the efforts that have been made to withdraw them. Some of the Roman Catholics feel that the schools they have, the high class schools, the intermediate schools, go in too much for what is called intermediate examinations; they pick out the boys that have most ability, talent and application and push them forward and they make a great show, and they deserve immense credit for it. Then the boys of a plodding nature and those whose parents don't desire that they should go high up in the ranks of education don't receive the second education that they would receive in such a school as Leamy's school, not an intermediate school, but a middle class school. It is not as an intermediate school I would advocate the maintenance of Leamy's, but as a good sound middle class school, where the children of middle class parents, shopkeepers and tradespeople may receive an education fitting them for the walk in life they are intended for. So that not only would you deprive the Protestant poor of Limerick of an institution of vast value to them, but you would also be depriving some of the Roman Catholic children of the city of an advantage to them. I ask you to keep Leamy's school as it is, an undenominational school. The Roman Catholic Bishop of Limerick in his communication to the Commissioners, page 535, says "It is by Leamy's will an undenominational endowment." Dr. O'Dwyer acknowledges that. I go with him to

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that extent, and I say maintain it as undenominational. Dr. O'Dwyer said in my presence, as long as he was Bishop of the Diocese he would never allow Roman Catholics to be educated with Protestants. I am as strongly against Protestants being educated with Roman Catholics as he can be. I say that Protestants derive no advantage whatever from being educated with Roman Catholics. I would have a denominational school at Leamy's if I could, but that would not be carrying out the will of the donor, and therefore I don't advocate it, or ask that it should be so. But I say it is quite possible that this school should be conducted as it is at present, and the faith of the Protestants, and the faith of the Roman Catholics should be entirely unimpaired with. Therefore on behalf of the board of Leamy's school and on behalf of the united phalanx of the Protestant community of Limerick, I say that all denominations are standing here with a bold united front in this demand that Leamy's should not be interfered with, but that the Commissioners should, subject to any information they may see necessary, allow it to continue on as it is. I believe in so doing they would be carrying out the wishes of the founder, and that they would have an institution in which the poor of Limerick, Protestants and Roman Catholics, would be educated.

95. Lord Justice Fitzgerald.—In one of the communications we had from Bishop O'Dwyer, he said that Leamy's building would make a first rate Catholic model school. As a matter of fact, in what respect does the education given at Leamy's differ from the class of education given at the Model School?

Dean Sanbury.—It is more advanced, there are subjects taught there that are not taught in the Model School, as you will see by the scheme arranged by the Court of Chancery in 1874.

96. There is no subject mentioned in the Chancery scheme that is not in the fifth or sixth standard at least as an extra subject?

Dean Sanbury.—There is not.

97. How many pupils are at present attending the Model school?

Dean Sanbury.—I don't know.

98. Rev. Dr. Molloy.—How many are attending Leamy's school?

Rev. Mr. Dowd.—The returns for September are:—Male department, 57 on roll, free 14, average attendance 33; females, 56 on roll, free 18, average attendance 52. Total, 93 on roll, average attendance 85, and of those 33 are free.

Dean Sanbury.—A few days ago I attended the school, saw the roll books, and took down the numbers. In the girls' school 73 on the roll, 20 of these are called "free pupils," and there are three or four more free in addition to those 20. Boys on the roll 45, and of these 16 are free.

Dr. Molloy.—Between September and October the roll grew from 56 to 73 for girls.

Rev. Mr. Dowd.—May I mention the numbers for June before the school breaks up. Male department, 5th June, number on roll, 46, paying pupils, 31, free pupils, 15, average attendance 38. Girls, number on roll, 47, paying pupils, 47, free pupils, 20, average attendance 64. So that for June the total number on the roll is 113, and total average attendance 102.

99. Lord Justice Fitzgerald.—When did your school reopen after vacation?

Rev. Mr. Dowd.—Second of August.

100. Lord Justice Fitzgerald.—This would indicate that the attendance in September, after reopening in August, is a little lower than either June or October.

Dean Sanbury.—Many of the children were then at the sea; and had not returned.

101. Lord Justice Fitzgerald.—The number in 1887 was 110, 66 girls and 44 boys. Of these 37 boys who are there now, how many would you describe as poor?

Rev. Mr. Dowd.—Of course the free pupils go off at once as being poor, that is a necessity.

102. Lord Justice Fitzgerald.—Are they admitted on satisfactory evidence that they are poor?—Yes. Of the others I think three-fourths would require

assistance in getting education; that would be the test of a poor person.

103. Rev. Dr. Molloy.—Nearly everybody would require assistance in getting education!—A man with a small income, and a large family, is in a different position from a man with a salary and a small family. But those that would require assistance to educate them I would say are three-fourths.

104. How many of the children attending the school are of the class that go to the National schools in the city of Limerick?—They are somewhat better.

105. Are they all of a better class?—I think they are all of a better class than those who attend St. Michael's National school, but they are much about the same class that attend the Model school, a little better, with the exception of those who are able to pay, and send their children to Leamy's school because they got a better education.

Dean Sanbury.—If you would allow me to read the parents' occupations:—Draper's assistant, draper, small farmer, watchmaker, butter-buyer, clerk, farmer, parents dead, clerk, parents dead, farmer, oil and colicman, farmer, clerk, farmer, process server, grocer, builder, baker, coachman, clerk, militia sergeant, father dead, scripture reader, washer of a gown, house-keeper, father dead, gunsmith, water manager, &c., &c., that is the class.

106. Lord Justice Fitzgerald.—We summarised the evidence:—

"As regards the circumstances of the pupils, the evidence goes to show that the free pupils are the children of the poor, but that the others are not children of the poor, but include children of the gentry, shopkeepers, and the respectable middle class."

Do I understand that three-fourths of these are children of persons who could not afford to give their children middle class education without assistance?

Rev. Mr. Dowd.—Yes.

Dean Sanbury.—This list does not include the free children, and I know that some of these people have children at home that they don't send, because they are not able to pay £2 a year.

107. Rev. Dr. Molloy.—Why don't they send them to the National schools?

Rev. Mr. Dowd.—I don't know.

108. Rev. Dr. Molloy.—Is it because they think they would associate with a lower class of pupils?

Rev. Mr. Dowd.—Some of them have an objection to a National school.

I think you mentioned that a good many of the children were away at the sea during the month of September?

Dean Sanbury.—Yes.

109. Lord Justice Fitzgerald.—I understood Mr. Dowd to say that the children were very much of the same class as those who go to the Model school?

Rev. Mr. Dowd.—It is very hard to judge of class, but it is much about the same.

110. Lord Justice Fitzgerald.—Can anybody tell us how many pupils there are at present at the Model school, either Protestants or Roman Catholics?

Dean Sanbury.—I cannot tell you, it is not in my parish, it is Archdeacon Hamilton's parish, but he is ill.

111. Lord Justice Fitzgerald.—Are they chiefly Protestant?—I think there are a good many Roman Catholics.

112. I want to find, by adding your 110 to those attending the Model school, how many Protestant children of that class there are. We have already got evidence of the number of those attending the parochial schools?—They are of a different class, they are primary schools.

113. Mr. D. P. Browne, M.P.—Mr. Dean, are those occupations you have read out typical of the parents of the poor?

Lord Justice NATION.—I understood him to say that these were the occupations of the parents of the pupils who paid.

114. Mr. Browne.—What are the occupations of the parents of the free pupils?

Mr. Mercer (Head Master of Leamy's School, read—

ing):—"Cousinman, clerk (a very small clerk), militiaman, sergeant, two boys whose mother is maintaining them at present, father dead, a scripture reader, two boys whose fathers are workmen in the coal, a man who is employed as a day labourer killing bacon, another boy whose father is dead, he is very poor; another whose father was a gunsmith, he is dead now; a waterworks manager."

115. Lord Justice NASH.—That is the same list that was read by the Dean?

Mr. Mercer.—Yes; the Dean made a mistake, he read the list altogether. Among the free boys there are six whose fathers are dead, they are very poor.

Lord Justice FitzGibbon.—A boy whose father is dead, if he has no means of his own, is a poor boy.

116. Mr. Browne.—It would not necessarily involve poverty in all cases. But I would ask the Dean one or two questions as regards the existing educational provisions for Protestants of the class of the free pupils. How many schools are there in Limerick in which an education such as is now given in Lesany's, could be procured?

Dean Baskery.—Not one.

117. Mr. Browne.—The Cathedral Grammar school.—We have no Cathedral Grammar school, the Cathedral school is a very primary school.

118. The parochial school of St. Michael's.—It is a primary school under the National Board.

119. You have an elementary class at Lesany's, what proportion of the free pupils could get the same education in any other school in the town?—My impression is, that the free pupils derive an education at Lesany's which they could not derive at any Protestant primary school in Limerick.

120. I suppose the free and paying pupils are mixed up?—There is no distinction.

121. Some of the free pupils would be in the elementary school?—The young boys are first admitted into the Girls school, and pass on into the Boys school.

122. Some of the free pupils are in the elementary school?—Yes, some of them are very young.

123. Those in the elementary class could get a similar education at other educational institutions in the town?—They could not get English history any where else.

124. Lord Justice FitzGibbon.—Remember about elementary schools, a lot of the money laid long ago for the benefit of the poor was left when they could get no public help for education whatever; there is a public provision now for National schools in which the poorest children are taught, and therefore we have been trying to utilize these endowments not for giving an education which the State assists, but something better.

Mr. Browne.—If sufficient provision exists otherwise for the education of the poorer class now attending Lesany's, that would be an argument for applying some of the fund for the assistance of the institutions that I represent, namely, the Christian Brothers where the poor get an education. There is a large proportion of the free pupils at present who are getting an education in no way better than they could get in other schools, therefore to that extent Lesany's endowment is inefficient.

125. Dr. TRAILL.—Is it not very important that if intermediate education is to be given to them afterwards they should be in the hands of good teachers from the first?

Lord Justice FitzGibbon.—There can be no question that of the "poor" in the city of Limerick, defined any way that you choose, a much larger number are Roman Catholic than Protestant—that is beyond question; but when you begin inquiring the number of poor pupils who get primary education at the National schools, or something better than primary at the Model school, that does not affect the question of the relative proportion of Protestant and Roman Catholic poor who ought to come on Lesany's endowments. The National schools are open to everybody. In the Model schools there is the difficulty that they are conducted under rules that the Roman Catholics will not accept, and also they are all chiefly attended by paying pupils and the fees are sometimes substantial.

Mr. Browne.—Anyway, to the extent that the children now attending Lesany's could get education elsewhere the application of the Lesany endowment is at present ineffectual.

126. Dr. TRAILL.—Would not that cut with far greater force against the application to the Roman Catholic poor who could all get education at the National schools?

Mr. Browne.—No, because the poor schools for Catholic boys are not National schools; and there is practically no school in Limerick which Catholic boys can attend which is under the National system. The question will then arise how best to make effectual the fund at the disposal of the Commissioners?

127. Lord Justice FitzGibbon.—We went to see the school when we were here before, and our impression is fairly stated in the memorandum. We were all satisfied that the free pupils, generally, were pupils who were getting an education that they could not get otherwise. We thought the others belonged to a better class in life than is usually recognised as "the poor," a meritorious class, who want education of this kind, but not usually looked upon as "poor."

Rev. Dr. WILSON.—Mr. Browne seems to take it for granted that there is abundance of room for these children in other schools under Protestant management. As a matter of fact Archbishop Hamilton's schools under the National Board are full, or nearly full. I state, as a very gratifying circumstance, that since I appeared before the Commissioners on a previous occasion, our female school at the Villiers' Institution in Henry street is so full that we have been considering the propriety of enlarging the building, and our male school also.

128. Lord Justice FitzGibbon.—Do you know anything of the attendance at the Model school?—No.

129. Rev. Dr. MULLOY.—Mr. Mercer, a good many pupils I daresay come to your school who have got the first elements of a primary education before they come?

Mr. Mercer.—Some.

130. Would that be the case with the majority or only with a few?—I think the majority graduated in the Girls school beginning as infants, and going on through their classes; then they are transferred to me, when they are able to do division, and read fairly.

131. Have you any large number of pupils who first get the elements of primary education in the National schools, and then come to you?—Perhaps half. I could not tell you the exact figures.

132. Rev. Dr. MULLOY.—I should like to get the number of pupils who come to you from National schools?

Lord Justice FitzGibbon.—They would belong to the class who, in Germany, when they have got at the expense of the State the rudiments of education, are promoted to schools giving a better education.

Bishop O'Dwyer.—As a matter of fact Lesany's School is the worst school in Limerick.

Dean Baskery.—I must take exception to that statement made by Dr. O'Dwyer. I ask what opportunity has he for judging—has he ever been in Lesany's school in his life? He was asked to sit on the Board, and he refused. We don't make an attempt to send in children for the intermediate examinations, but I maintain the children get a very good education, and Mr. David, whom we all acknowledge as a competent judge, gives a very favourable report of the education in the establishment, and it is here before the Commissioners.

Rev. Mr. Clarke.—In Lesany's school they teach all the boys, not a few.

Rev. Mr. DOWD.—The Intermediate course goes over a long range of subjects and does not go into them very deep.

Mr. Mercer.—Of the thirty paying boys at present in the place seventeen have graduated in the Girls school, the remaining thirteen have come from National schools generally, a small number from country National schools. I have one boy coming from the country every day now.

133. Lord Justice NASH.—How far does he come?—Six or seven miles.

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Dr. TRAILL.—I need say of Mr. Mercer, the teacher of this school, that I happened to examine him at Trinity College the other day without remembering who he was, and I did not find out that he was the teacher of this school until I had given him full marks in mathematics at his "Little-Go."

134. Mr. Browne.—I submit that the religion of Leamy is not material. You cannot now consider the applicability of this fund with regard to what Leamy was.

Dean Bunbury.—But stress seemed to be laid on the last occasion on the fact that he was a Roman Catholic.

Mr. Browne.

135. Mr. Browne.—In one way or the other I don't think Leamy's religion can affect the determination of the Commissioners in dealing with the funds at their disposal. The Commission will be entirely guided by the terms of Leamy's will, and the thirteenth section of the Act, which contains a special proviso that in case of an endowment for the education of the poor it shall be the care of the Commissioners that that endowment shall not be diverted from the purpose which the founder intended. The one care the Commissioners will have to take is, how the greatest effect can be given for the education of the poor in the application of this fund. Dean Bunbury said that this is a great boon to the Protestant population of Limerick, and he went so far as to say that it was a boon to the Catholic population. As regards the latter, in the past, when it was more or less an undenominational school, it never was a success. The Dean at one part of his observations thought that the school might be regarded as undenominational, still he seems himself to be strongly in favour of having the school in future worked on strictly denominational lines. We entirely agree with him, and to render the charity effectual it must be worked upon the principle of denominational education, and that principle will of course involve the necessity of dividing the fund. Of that division, I submit to the Commissioners, the basis of population must be ultimately the basis, subject to the consideration that if the Protestant population is so far in a minority, that the amount that would be left to them on a strict arithmetical computation, would be worthless for the education of Protestants, they should be treated more generously than circumstances would otherwise justify. It would appear from the last census, that of the population of Limerick city, seven-eighths are Catholic, and for my present purpose I deal only with Catholic and non-Catholic. The non-Catholic population have no objection between themselves to undenominational schools. Let them, if they wish, have an undenominational school; but those who differ from the Catholics, but I think the basis should be a division in the proportion of the Catholic poor to the Protestant. Again, the basis of population cannot be strictly adhered to, because if you consider the classes of which the Protestant and Catholic portions of the community respectively consist, you will find that the vast majority of the poor are Catholics. The labouring classes are almost exclusively Catholic; the smaller commercial class are largely Catholic; except the employees in some of the larger firms, the employees in the city are largely Catholic, therefore the proportion of the Catholic poor would be very much in excess of the proportion as shown between the Protestant and Catholic population on the census. Therefore, when we claim a division of this fund on the basis of population, we are really asking a concession, having regard to the fact that if we adhered strictly to the arithmetical proportion between the Catholic and non-Catholic population nothing would be left for the effective establishment of a Protestant institution. If we went upon the same basis of the needs of the respective populations, I think regard should be had to the evidence given in 1887, about which there can be no controversy, of the closing of Protestant schools which should be available for the education of the poor.

Dean Bunbury.—I want an explanation of that statement.

136. Mr. Browne.—Dr. Hall's school was closed—it was taken away from educational purposes to the pur-

poses of an almshouse. It is the fact that schools which were available for the purpose of the education of the poor, have been closed on the ground that they were superfluous.

137. Lord Justice Fitzgerald.—That school was endowed with houses in Nicholas-street, they all fell down, and the Court of Chancery closed the school.

Mr. Browne.—There was income which was disposed of by the Court of Chancery, for the maintenance of widows instead of education.

138. Lord Justice Fitzgerald.—No, there was a charity, partly an almshouse, partly a school; the houses that produced the income fell down; there was a long correspondence, the property being incapable any longer of supporting both; the Chancery scheme devoted it to the maintenance of even a reduced number of almshouses. It was a most unfortunate story, as you will find from the former reports.

Bishop O'Day.—I think it is in evidence from Dean Bunbury, that one reason for shutting up portion of the Hall Charity was that, in his opinion, there were no poor to go there.

Mr. Browne.—We have admissions again and again from the Dean, in his evidence in 1887, that there really is no need for a Protestant poor school.

Dean Bunbury.—I never gave such evidence. You mistake me entirely. I said there was great need of such a school as Leamy's; there is no need for primary schools, because we avail ourselves of the National school grants, that is the reason I give.

139. Lord Justice Fitzgerald.—The Dean's evidence was that there was no need of any additional primary school for the Protestant poor in Limerick.

Dean Bunbury.—That was because we availed ourselves of the National Board grant.

Mr. Browne.—Having regard to the existing needs of the poor, Catholic and non-Catholic, certainly a very much smaller amount would come to the non-Catholic population on the basis of population.

140. Lord Justice NAUGHTON.—If you divide the fund according to numbers or according to want, of course the Protestant share would be something very small.

Dean Bunbury.—Next to nothing.

141. Dr. TRAILL.—Mr. Dean you were asked, in 1878, as to Hall's Charity, that had been diverted to other purposes.

Dean Bunbury.—The income became much reduced. The houses tumbled down, and the income was reduced so much, that the question was whether we should reduce the income of the poor widows, or do away with the school; it was a mere bagatelle as regards money, and the Court of Chancery decided it was better to support the almshouses, and do away with the school as we had no money to do both.

142. Mr. Browne.—The respective needs of the Catholic and non-Catholic population must be considered in order to determine how best effect can be given to the intention of the founder; at present the number of free pupils—the free pupils whom we may take it are the poor—in Leamy's school is 32. In 1887 it was 30, 18 boys and 12 girls. The endowment at present, only to the extent of the free pupils, can be considered as giving effect to the intentions of Leamy—they alone are the poor. Therefore only to the extent of 36 pupils can that endowment as it at present stands be considered affected. Now, taking the value of the buildings at present to be £2,000—it may possibly be more—taking the whole fund to be something over £12,000, the education of each free pupil at the present attendance would cost from £20 to £24 for more education, taking 4 per cent on the capital value of the entire endowment if the endowment were more profitably invested.

143. Dr. TRAILL.—Why take 4 per cent—it is all in Government Stock, producing only 2½ per cent!

Dean Bunbury.—There is a rent to be paid. The last quarterly payments was only £68, and the rent is £40 a year, besides which there are rates and taxes; the endowment is much less than people think.

Mr. Browne.—You must also take into consideration the income that might be derived from the

present value of the school buildings. Anyway the education of each free pupil costs a considerable sum, and when you consider the vast number of children attending the Catholic schools that have no endowment from the State whatever—the Christian schools, and some of the Convent schools—it certainly would be entirely wise of the spirit of the 13th section to allow the fund to be diverted from the Catholic poor. In the Christian schools, without any State aid, the number on the rolls is annually 1,800, between 400 and 500 pay no school fees, about 1,400 is the average attendance. About 400 pay a penny a week, less than 400 pay fees from 8d. to 5d. a week, and we have 150 in our Intermediate classes; of these many are free; 45 pupils are learning Latin, the entire number learn French, English, Mathematics, Drawing; 70 are learning Chemistry and Philosophy; 30, Celtic; a few Italian and Greek. So you have 1,400 by attending schools that are absolutely unsided by the State.

144. Rev. Mr. Clarke.—Why are they not aided by the State? Is not the system of National Education open to them as to all other schools? There is a large endowment waiting for these schools if they only take it.

Rev. Dr. Molloy.—It is not the first time we have heard that question.

145. Mr. Browne.—We must proceed on the basis of things as they are. They don't receive any State aid. As regards the Convent schools, the bishop was examined before the Commission in 1887, and you have, at page 37, a statement as to the number of girls attending the schools. The number on the rolls of St. Mary's, St. John's, Pery-square, and the Presentation schools, was 3,104, and the average attendance 2,224, that would make something over 4,000 children attending schools, the greater number of which are entirely unsided.

146. Lord Justice Fitzgerald.—I suppose the 3,104 include infants?

Mr. Browne.—Yes.

147. Lord Justice Fitzgerald.—I think we may take it that the number of Roman Catholics attending primary schools in Limerick is about 4,000, and the Protestants would be about 500, say 100 in Leamy's, about 100 in the Model school, and the rest in St. Michael, St. John's, the Villiers', and Mr. Gregg's Schools.

Mr. Browne.—Any scheme will be illusory that does not recognise the principle of denominational education. They will not attend any school that is not established on that basis. If denominational education is provided it necessarily follows that the present endowment must be divided, and if it be divided I say divide it on the basis of population; this will leave a sufficient sum for the non-Catholic population, either to form an effective school or to improve the already existing schools, and such a division will be really much less than on strict right the Catholic population would be entitled to. Now, as regards the application of the fund for Catholic education, I believe Dr. O'Dwyer will state his views as to what scheme he would consider desirable, and on behalf of the Christian Brothers and the Convent schools, we submit that a great portion of that fund should be applied to enable the Christian Brothers to carry on their establishments, and also for the schools of the Sisters of Mercy.

148. Dr. Traill.—They have large grants from the National Board.

Bishop O'Dwyer.—Yes; but they have no power to go beyond the ordinary low level of the National school. What we want is to bring some of our schools up to the level of the Model schools.

149. Mr. Browne.—We submit that the portion of the fund available for Catholic education would be made most effectual by enabling the Christian Brothers to give such an education to the poor attending their schools as Dean Bannery now suggests can be had at his school; giving them something better than the ordinary National school education, would in many cases be aiding the poor of whom Dean Bannery

spoke so feelingly, who, although not actually poor, are in a condition of struggling poverty. We think that the application of so much of the fund as would come to the Christian Brothers should be to enable them to give a better class of education, and to improve their Intermediate school.

150. Lord Justice Fitzgerald.—Then you agree with us that the best use for private endowments, even when given for the poor, is not merely to give primary education, for which there are other means now available, but to give the better boys, and those who cannot get it otherwise, a more advanced and better education than the State is bound to give to everybody.

Mr. Browne.—Undoubtedly that is the application of the fund which the Christian Brothers would desire. They desire to develop their educational system so as to enable the children of the struggling poor who come to their schools to go forward.

151. Professor Doremus.—Do you mean that they would apply it to the Intermediate department of their schools?

Mr. Browne.—To some extent, but it would not necessarily be limited to the development of Intermediate education. It would also be applied to giving them an education more suitable for commercial life than the Intermediate education is. Similarly as regards the female children, the application of this endowment in the Convent schools would be for the purpose of enabling the keener-witted children to get such an education as would lead them to a better status in life afterwards, than if they merely got the National school education. I was omitting one matter, what has been regarded as the set-off of Munster against the Leamy endowment. We do not wish that any such principle should be acted upon. It is, of course, a very arguable question as to what are the rights of the leasers of Munster under their local Act, and the scheme of 1885. They have put their views before the Commission, but we entirely deprecate any dealing with the endowment of Leamy's on the basis of a set-off. I submit that the Commissioners, within their powers, properly acting in accordance with section 15 of the Act, can properly set off Munster against Leamy's, the things are not *quoad generis* at all. In Munster the intention of the founders was the development of agriculture. In Leamy's, the intention of the founder was the education of the poor. In Munster the area to be benefited was the county Limerick; in Leamy's it was to be the poor of Ireland, but principally those in and about Limerick city.

152. Dr. Traill.—Do you not think the fact of his saying the poor of Ireland, on the supposition that he was a Protestant, leaving his money to Protestant trustees, rather points to a Protestant population, of which the poor of Limerick would not be sufficient to fill the school?

Mr. Browne.—It is very improbable, having regard to the frame of the will, that he considered the question of religion at all, but if he had the view now suggested he would have said Protestant poor, or the poor of Belfast or some place else.

153. Dr. Traill.—Why did he say "the poor in Ireland"?

Lord Justice Fitzgerald.—Perhaps an answer both to Dr. Traill, and to some extent to your argument, may be got if we read the whole sentence:—

"The endowment is to be applied by the trustees to the education of the poor in Ireland, principally those in and about Limerick city; or as they, my executors, in their better judgment shall deem most to give said bequest the most extensive efficacy."

The legal meaning of "the poor in Ireland" there is to name the field within which his executors were to spend the trust money. They were not to exclude the whole of the poor of Ireland, but they were to spend the money on some of the poor of Ireland, principally those in and about Limerick City. The founder, having made that vague will, if his executors had established a completely Protestant school, it would have been

Oct. 25, 1890.
Mr. Browne.

Oct. 20, 1882.
Mr. Browne.

extremely difficult to alter their disposition so long as the people getting the benefit were poor. But the Lord Chancellor got hold of it, and just as we were appealed to eloquently this morning not to disturb what had been done under the sanction of the law at Munster, here it may be said that has been applied under a scheme of the Lord Chancellor.

Mr. Browne.—The difficulty under the Lord Chancellor's scheme is the denominational question. If the school is to be established or to be continued under this scheme, it is undenominational, and it is useless as regards the Catholic population.

154. Dr. TRAILL.—Which do you think did Lenny mean, a denominational or an undenominational school?

Mr. Browne.—I don't think at that time the question was present to his mind.

Lord Justice FRASER.—I don't think there is any reason to suppose he meant a school at all, he gave his money to his trustees to spend on the poor in Ireland as they thought proper. The man himself does not seem to have contemplated establishing any institution with his own name over the door. The Chancellor did that.

155. Bishop O'Dwyer.—Don't you think when Lenny, a Limerick man, named Limerick as the principal place where his money was to be spent, and he knew nineteen-twentieths of the poor were Catholics, it is a fair interpretation of his will to say that he meant the Catholics were to get the benefit of it?

Lord Justice FRASER.—I do, and I have never hesitated to say that the Roman Catholic poor of Limerick were, in my opinion, within this will, but unfortunately the executors, not having exercised their judgment, the Court of Chancery has adopted the present mode of dealing with it.

156. Mr. Browne.—But you are in the position, more or less, of his executors now.

Lord Justice FRASER.—But the estate is not as yet left; £4,000 is in the hands, and they should be utilized if possible for the charity.

157. Mr. Browne.—You should deal with it, I submit, as you dealt with the Borough school at Swords.

Bishop O'Dwyer.—The Chancellor in 1842, when he erected these schools, intended that they should be available for Catholics as well as Protestants. That scheme failed. In 1874 a new scheme was

proposed to give Catholics the benefit of it, and that scheme has failed, and the Commissioners now find that £4,000 of Lenny's money invested in these buildings for the purpose of education, is not used for the purpose for which it was intended.

158. Dr. TRAILL.—Would you be satisfied to leave the funds in the possession of the Protestants, if we could get them a school suitable for them, leaving the buildings to you?

Bishop O'Dwyer.—Certainly not; if there is a division to be made it must be made on some rational basis, on the proportion of Catholic to Protestant, or the proportion of the poor. I would be delighted if a rational, and fair, or even generous division was made for the Protestants. But as long as it is kept all together the same failure will mark Lenny's school as has always marked it.

159. Dr. TRAILL.—There are two other cases in Ireland that have come before our Commission—they were Roman Catholic endowments, left to Roman Catholic trustees in exactly the same words, for the education of the poor. Would you recommend that they should be divided? I asked Bishop Nulty the same question, and he would not hear of it.

Lord Justice FRASER.—These were endowments left in Mullingar, where there was not a poor Protestant within ten miles.

Bishop O'Dwyer.—If I had the honour to be on your Commission, I would deal with that when it arose. But here is a Limerick man leaving his money for the Limerick poor, and it is to defeat his intention to take it away from the Catholics.

Mr. Browne.—The basis of set-off cannot be adopted in addition to what I have said, because you should take the proportion of the Catholic poor of the county to the Protestant poor of the county, if you went into the question of set-off at all.

Lord Justice FRASER.—I don't think this is any matter of set-off from a lawyer's point of view for several reasons; the objects of the two charities are different, the trusts are different. What they call "give and take," means that if the Roman Catholics have a great institution in which there is public money for one purpose in the county, they ought not to have a similar institution for another purpose in the city. That is not a legal argument.

Major-General Lord Clifden.

160. I, as an old soldier, do not feel my self competent to express an opinion on an educational subject; however, I feel that a lay Protestant should express an opinion, and although there are several more competent to do so, as they do not appear inclined to move in the matter I cannot remain silent, and without urging the claims of the poor Protestants of Limerick. In the first place it would be desirable to define what is a poor person? We all admit that the very poor labouring classes have ample opportunities of obtaining excellent education under the National system. But a man with £100 a year, and perhaps a dozen children, may be ever so respectable, but I call him a poor man, and I think he would come under the definition of a poor man in this trust. We are very much in a minority, but what would become of the poor Protestant children who are now obtaining an excellent education at Lenny's school—notwithstanding what fell from my Lord Bishop, although there is no dignity of the church for us, I entertain a greater respect, and I am sure I only speak the sentiments of every Protestant, as well as of every honest man, in expressing those views—however, notwithstanding what he has said with regard to Lenny's school, we can produce excellent evidence with regard to the style of education which the master is capable of offering. He is a most capable person, and I appeal to the Bishop to consider what would become of these poor Protestants who are now obtaining an excellent education at Lenny's school if you deprive them of it? I was rather amused by the ingenious observation of my

old friend, Sir Stephen De Vere. He laid great stress upon the fact of there being a condescension clause in the Munster school, but I should like to ask any reasonable person to answer me this question—is it likely that any Protestant would send his child to the Munster school? You eliminate from the trustees the only Protestants, although perhaps I am rather a hard bitter when I say that they would not be any very great loss to the school, and if they had been men of a stronger fibre the trust would not have come to what it has. But would any Protestant send his child to a school, the teaching of which was under the Jesuits, though we knew that there are no more capable teachers in the world? Therefore, I appeal to the sense of fair play on the part of the Bishop, to think what will become of these poor Protestants if the suggestions he proposes are carried out. They will simply have no place where they can obtain a superior education. We know from what the Dean has said, and it is obvious that these parents are not in a position to give a good education to their children, and if you split up this fund, Lenny's school, as at present constituted, must come to exist. Therefore, I would crave your consideration for the poor Protestants of Limerick. Lord Montagu has laid great stress upon the desirability of establishing an agricultural school. I am rather more largely concerned in agriculture than he is. Nobody is more strongly of opinion that it would be a most excellent thing if an agricultural school could be established. But why did not Lord Montagu intervene when

what I consider a very great job was perpetrated in taking possession of that school. And if my father and the original trustees had been in existence at the time, instead of men of far less mental power, I don't believe that job would ever have been perpetrated.

Lord Montagu.—Allow me to say I don't agree with Lord Clarina as to its being a job, but I never heard of the Act of Parliament until it passed.

161. Lord Clarina.—I know it was talked over at the time by Protestants, and I, as an independent man, who cares very little about anybody's opinion, said at the time it was a job, and I repeat it now. I think it would be far more desirable if a school of agriculture was established in Mungret College instead of the school they have established there, because I think all practical agriculturists must admit that however desirable it is to convert idolatrous blacks, as far as we are personally concerned, it would have been far better if we could have introduced a better system of agriculture into the county Limerick. I won't detain you any longer, but I thought it was only right that some independent Protestant should have his say on the subject. The practical suggestion I have is a compromise. You have £70 a year rent received for the Mungret school, and also the interest on £1,000, say at three per cent, £30 more. What could you do with £130? How can you teach practical agriculture without ground? If that college had been retained for the purpose for which it had been originally created you would have had a most excellent

place. And it is a pity that Lord Montagu did not come forward at the time this was mooted and suggest what he does now, that we should follow the example of the Cork people and establish an agricultural school. I am sure no one would have been more ready than myself to help it in a small way. The Bishop said it might be applied to National schools; what practical agriculturists could they teach; they have so ground attached to them; I think it would be money thrown away, and what I suggest now is a compromise. Let them have Mungret College, and make any use they like of it, and leave us Leamy's for the poor Protestants of Limerick.

162. Lord Montagu.—I wish to submit in reference to Mungret that the question whether there is an agricultural trust or not is the first question to be determined by the Commission, and the question whether any particular scheme that has been in operation, or that is in operation now, or any other scheme, such as Dr. O'Dwyer has suggested, is practicable or not is, I maintain, a subsequent question.

163. Lord Justice Fitzgerald.—Nothing could be clearer than the way you put the two points. Is there any endowment for agricultural teaching, and is there any agricultural trust, and if there be, and if the Jesuits are relieved from that trust, what should be done with the property which is bound by it?

Lord Montagu.—I want to guard against its being supposed that the two questions were mixed up together; the first question is whether there is a trust or not.

Dr. O'Shaghnessy.

164. When Lord Clarina stood up I thought he intended to apply himself to the question of Leamy's school, but when he diverged to the question of the Mungret school, I was rather taken aback. But I think I may here continue to speak of the Leamy school scheme. We have it here in Limerick that the Protestants in their schools act on the purely denominational system; we, on our own part, wish to do the same, and I hope that in anything done with regard to the Leamy school that it will be adhered to. But with regard to Lord Clarina's appeal as misericordias on behalf of the Protestant poor of Limerick, as I stated in my evidence here before, I have lived for the last twenty-two years opposite that

school, and I don't think I ever saw during that time a child wanting any of the comforts of life entering that school. They may be children of men in service, coach-builders, or otherwise, but I have always seen them comfortable and well clad, and presenting a striking contrast to the thousands of our poor children who are seeking education from the Christian Brothers, and I trust this Commission will not separate without turning that money, which Leamy intended should reach the poor Catholics, to their benefit, and I think I would be able to show you that in numbers and otherwise we are the parties entitled to it.

Dr. O'Shaghnessy
answ.

Mr. Jerome Connelley, &c.

165. I wish to state that I listened to-day to the discussion with regard to Mungret school as an agricultural establishment with considerable surprise. From my own personal observations, extending over a long period, I know it has been a complete failure as an agricultural school, and I believe if you took a vote in Limerick, the expression of opinion would be entirely in favour of the present establishment there not being interfered with. With regard to Leamy's school, the feeling among the Catholics of Limerick is that they should have a share of this endowment, because there are a larger number of Catholics in Limerick who believe they ought to get the education which this endowment is to help them to, instead of being obliged to pay for it, as they are now, at the colleges in the city, the Sacred Heart College, and the Diocesan College.

166. Lord Justice Fitzgerald.—The education you refer to is of a superior character.

Mr. Connelley.—Of a superior character, because the provisions for the education of the poor have greatly changed since this endowment was founded.

167. Dr. TRAILL.—Then your proposal would be to apply this endowment to the intermediate education of

children whose parents are at present paying for that education?

Jerome
Connelley, &c.

Mr. Connelley.—That is my proposal, that some arrangement should be made that would obviate the necessity of their struggling to pay for an education in the colleges in the city. At the same time I wish also to say that it is the opinion that this question of the endowment of Mungret for county education, and the endowment of an establishment in Limerick, should not be mixed up, but that they should be treated entirely distinctly.

168. Dr. TRAILL.—Why do you think the Jesuits ought to be left in possession?

Mr. Connelley.—I think they are giving a splendid education that is necessary for the county.

169. Don't you think it is a proper thing that being in possession they ought not to be disturbed?

Mr. Connelley.—I do.

170. Would you not apply the same principle to those who have Leamy's?

Mr. Connelley.—I don't think they stand in the same position.

Dr. TRAILL.—We have spent £14,000,

Rev. Thomas Reeves, &c.

171. Lord Justice Fitzgerald.—Then there is still the claim of the parish priest of Mungret. I understand that claim is founded on the reservation over

since the original foundation of a site for a girls school and a boys school, and at present there is only one of these schools.

Rev. Thomas
Reeves, &c.

Oct. 26, 1885.
 Rev. Thomas
 Browne, R.P.

Rev. Thomas Browne, R.P.—In 1878 we had a school for boys and females. When the Board gave up the school in 1878, they took away the school for the boys; I think that is an injustice to us.

172. Lord Justice Fitzgerald.—Do you refer to the male school, that at one time was held in the main buildings?—That is the one I mean.

173. There never was any second building for a National school?—There was a building for females, that is there yet; but the boys' school was taken away from us in 1878, and I contend that is an injustice to us, because it formed an essential part of the system; it had twenty-two years' possession; it was founded by money voted by the House of Commons, and I contend that the National Board could not give that property away from its object.

174. I don't know that you can add anything to what we have already proved.—The National school for boys was held by the National Board in the main building of the old Agricultural College; when the National Board surrendered the buildings, of course the rooms in which that school was kept were surrendered too; but provision was made to set apart a site for a National school in 1879, when the trustees went to Parliament for their Act. We cannot now after the surrender of the Agricultural College, but we can secure for you a site for a National school—I understood you have a National school in the house allotted for it—and some little plot of land about the school?—In the female school I have, but not for the boys.

175. Dr. TRAILL.—How many acres have you with the girls' school?—I have a site for a boys' school, about half an acre.

176. Lord Justice Fitzgerald.—It is impossible to say that any trust attaches to any of the buildings of Mungret for the purposes of a boys' National school, because under the arrangement for giving up these buildings a site for a boys' school is provided for, and that site is there. If this trust is in existence, one of the first claims on the Endowment should be to provide a school for boys on the site referred to—

Mr. Alexander W. Shaw, J.P.

You have been good enough to hear the Catholic laymen, and I ask you to bear me for a few minutes. If you take Leamy's school from the Protestant community of Limerick you will do them a very serious injury. In Limerick we have plenty of primary schools, but there is a very great want of an intermediate school. The suggestion of the Roman Catholic bishop that a sum of money should be given to the Protestants to be divided over their various schools to improve their education is no doubt generous, but it would not do. What we want is a good middle class school for those people, who cannot afford to send their boys away, with small means, and large families, who want a good education for their sons if they show ability; we want a school where these boys will fit themselves for business or professions. Limerick, I am sorry to say, is a decaying city, and the shopkeeper class, and the Protestant poor, are very badly off indeed. There is very little chance of a young fellow getting to college from any of the schools in Limerick. It is a great want, and telling very much on the poorer Protestant community.

187. Rev. Dr. MORRIS.—Though they have Leamy's at present they feel the want very much.—We feel the want of a school such as Leamy's might be made.

188. You have the whole endowment at present, you say the want you speak of is very strongly felt?—If we were sure of Leamy's we would have put it on a proper basis long ago. Our desire is to make it a school with 500 or 600 pupils, and get a thoroughly qualified master like the Erasmus Smith schools, and a staff under him.

189. What you really want is a school for middle

I want to get what I had in 1873, or a substitute; when the trustees went before the House of Commons they did not make a fair settlement.

177. We can hardly go back to that; we heard to-day that Lord Clarius never heard of the Act of Parliament, and Dean Bunbury told us the same—I can show that they suppressed things.

178. Dr. TRAILL.—Who built the girls' school?—The Board in 1858.

179. How much money would build the boys' school for you?—What I would get from the Board, perhaps £200.

180. What number of boys would you have in that school?—Fifty or sixty.

181. Where are they being educated now?—I have them in a house I got from a farmer pending this question. The idea of the age is that small farms should be joined to National schools.

182. You would like a bit of land too?—Yes, and that would be carrying out the intention for which Mungret was intended on the first day.

183. Rev. Dr. MORRIS.—Could you give agricultural teaching there?—Yes; when the farms were given up in most other cases the schools were kept on, and there is no reason why that was not done in Mungret.

184. Dr. TRAILL.—If you get the two acres that the Jesuits have got for teaching agriculture, would you teach it?—We could undertake to teach it, and the Commission in 1878 advocated that view.

185. Lord Justice Fitzgerald.—If there is a trust, as apparently there is, attaching to two acres for agriculture, you claim those two acres, and as much money out of the general fund as would enable you to have a boys' school as well as a girls'—Yes, and as much as would compensate me for the damage done to the school fixtures, which have been damaged beyond repair, and we should get compensation for them.

186. Rev. Dr. MORRIS.—Who damaged them?—They were sent away from the farm into town here, they were sent back again, and when it passed into new hands they were put into the open air.

class Protestants?—Yes, and the poorer class. I have taken considerable interest in the working of the Protestant Aid Society, and in the course of that there has been revealed to me things I never guessed before; the poverty of some of the people who keep a decent coat and a clean shirt would astonish you. It is not the man who lounges at the street corner, a man often with 35s. a week; it is the poor clerk with £1 a week or even 85s. and a large family, who has to keep up appearances, and attend business every day, who is to be pitied. I employ a mixed staff, half Protestants and half Roman Catholics, and the education of the young fellows among the Roman Catholics is very much better than among the Protestants.

193. Then you are strongly of opinion that the work Leamy's school has done for the last thirty years was entirely warranted for the purpose you think it ought to be applied to?—I mean to say the educational standard has increased very much. Our business has got more scientific, and I believe other business too, and we want a higher class of education, or we cannot compete with English people.

191. Dr. TRAILL.—Do you think Leamy's school is doing better work now than it did some time ago?—Certainly.

192. From what time do you date that improvement?—The last three or four years.

193. Since the appointment of Mr. Mercer?—Yes.

194. Bishop O'Dwyer.—You think the investigation by the Commissioners within the last few years has stimulated Leamy's school?—I could not say that, but I have no doubt investigation stimulates every school.

Adjourned to next day.

PUBLIC SITTING—SATURDAY, OCTOBER 26, 1889.

Oct. 26, 1889.

At the Courthouse, Limerick.

Present:—The Right Hon. Lord Justice FITZGERSON and the Right Hon. Lord Justice NAIRN, Judicial Commissioners; and the Rev. GERALD MOLLOY, D.D., D.S.C., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Assistant Secretary, N. D. MURPHY, was in attendance.

MUNGRET COLLEGE AND LEAMY'S FREE SCHOOL.

CLAIM OF "SACRED HEART COLLEGE."

195. Lord Justice FITZGERSON (to Rev. Mr. O'Keefe, &c.).—In October, 1887, you gave us evidence with regard to the Sacred Heart College, and in September, 1888, we got a letter from you in reference to the Limerick Intermediate Endowments. We should be glad now to hear any claim to which you think we could give effect?

Rev. T. O'Keefe, &c.—My observations proceed upon the basis that you will have some funds available for intermediate education in Limerick, to be given to the sons of respectable Catholics who are not in a position to pay the full pension at Intermediate Schools. There are a great many Catholics whose means are scanty, and whose wants are large, as a Protestant clergyman said yesterday, people who have to keep a decent exterior, but whose circumstances are very much straitened. We have at our school at present several children of such parents, several we take gratis, and several we take at a reduced pension. If there be any funds of that kind to be set aside by you for Intermediate Education, I make a claim on behalf of the Sacred Heart College for a large portion. It is a mistake to suppose that our school is a high-class school, or frequented solely by children of well-to-do parents. We have some, but we have a great many who are not, and our Intermediate School, in point of the position of those who frequent it, is almost in the same position as the Intermediate School of the Christian Brothers. Now, if you, as suggested yesterday, endow the Intermediate School of the Christian Brothers, you will virtually be endowing a school that by the very fact of its existence will be in opposition to our school. I do not think you would wish to do that. We have up to this conducted our school in a highly satisfactory manner. I appeal to the results in the paper before you, which I shall take as read. I shall not enumerate the many exhibitions we have got, both at the Royal University and at the Intermediate Examinations. It is confessed that our school has been a highly successful one, and I ground my claim—first, upon the fact that we have a highly successful school, which is ready to give education to the children of poor respectable Roman Catholic families, under any conditions that you may propose. Again, it is, I think in our favour that our school has been in existence in Limerick for the last thirty-one years. It has been conducted by the Jesuit Fathers for the last thirty-one years, and I think that is a title to your consideration, that a school that has existed so long should not now be put into a position by the endowment of another school of the same kind that would be more or less injurious to it. Again we are conducting this school at a pecuniary loss to ourselves at the rate of £200 a year. The pension we get from our boys is extremely small, the nominal pension varies from £3 to £6 a year, but the average that we receive does not amount to £4 per year. If there be a fund available for the education of such boys, as I heard suggested yesterday, we put in our claim. We have, I think a prescriptive title. We have conducted our school highly satisfactorily. I might point to several who are here present as living examples of the success of our teaching. The gentleman who addressed you

yesterday with such ability is an ex-pupil, and behind me is another ex-pupil who is entitled to wear on his breast three gold medals that he received at the Intermediate Examinations. I might point to the Most Rev. Lord Bishop as a former pupil of our college. Those are substantially the claims I wish to urge upon you. I don't know whether you have any funds, and of course I don't know how much the funds will be. I dare say you don't know yourself.

196. Lord Justice NAIRN.—I am afraid we know they will not be very much.

Rev. Mr. O'Keefe.—But for the sake of giving my idea of how this fund might be administered, suppose there be £100 a year to be devoted to the education of such boys as I describe, we, at the Council, are willing to take, say, ten, twelve, or fifteen boys and to educate them for the year at that figure. What guarantee will you give, you may ask, that they will be children of that kind? I will leave it to the Commissioners to fix the guarantee, you can appoint any respectable clerics with the Bishop, or any one else, as a committee to select the pupils to be sent to our school, and having made a selection we guarantee that we will educate them in a proper manner. These are the observations I wish to make.

197. Lord Justice FITZGERSON.—We are very glad to have heard you, but I am sorry to say we have had to say this so often, and it is so unwelcome to ourselves, as well as every one else, that I have almost to apologise for saying it, that our Act gives us no power to create any endowment; we can only arrange for the future management of what is in existence. You heard yesterday with regard to the public money in Mungret, a strong case made that it was appropriated originally for agricultural education, and that those who are now administering it have the first claim on it. There was a suggestion that Leamy's endowment which was intended for the poor might be dealt with differently in consequence of the existence of the other, but in neither case were the funds sought to be made available for intermediate education. The only endowment we know of as existing here for intermediate education was that of the Diocesan School. We have to deal with that once yet, but you must know the peculiar manner in which that endowment was dealt with by Parliament in 1859. Under an Act of Elizabeth the ecclesiastical revenues of every diocese in Ireland were made subject to a tax for educational purposes. But by the Act of 1869 that tax was not only not preserved as a fund for educational purposes, but it was merged in the property on which it was charged, and as an endowment it entirely disappeared with the life of the then holder of it. It went into the General Church Surplus, and except so far as a portion of it has since been applied for education under the Intermediate Act, it has been diverted to other uses. The building of the Diocesan School only remains; a rent is payable out of it, which is an endowment with which we have power to deal; we will hear the case presently. In dealing with free endowments elsewhere we have endeavoured to follow the principle that they should be divided in proportion to the number of pupils of the class for which they were intended, and of course your claims in that respect could not be overlooked if we had any fund to deal with.

Rev. T.
O'Keefe, &c.

CLAIM OF THE CHRISTIAN SCHOOLS AND CONVENT SCHOOLS.

Oct. 26, 1893.

Mr. C. F. Doyle,
S.E.

198. Mr. C. F. Doyle, S.E.—I wish to add to the remarks laid before you by Mr. Browne, that since your last sitting another school has been attempted to be developed by the Christian Brothers, which tends to show that the need for education in that part of the city is continually growing. I allude to the foundation of the memorial schools in memory of the former Superior of the Christian Brothers, Brother Walsh. These schools strengthen the case of the Christian Brothers, and the claim which they have upon any fund which might be made available for educational purposes. With regard to the statement which was brought rather emphatically before you yesterday by Dean Banbury, I would draw your attention to the fact that he mainly rested his claim to the continuance of Leamy's institution in its present condition on the ground that if the Protestant community in Limerick were deprived of this institution, they would practically have no other of the same character to replace it. Leamy's school he said was the only school where the Protestants could hope to receive for their children a higher class of intermediate education. Now it seems to me that this argument bears quite the other way. What reason can there be for the fact that the Protestant community of Limerick are practically dependent for their intermediate and high class education upon this one charitable institution founded under Leamy's will? There can be only one of three explanations: either the whole Protestant community of Limerick are in the condition of poverty so feelingly put before you by Dean Banbury and Mr. Shaw, in a condition of poverty which hides itself and struggles to be respectable, or is most only be the poorer members of the Protestant community in Limerick who desire to receive an education for their children in Limerick. Or there is the third possibility, namely, that all the members of the Protestant community, poor and rich alike, desire to receive an education for their children in a school which on the showing of the Protestants themselves ought to be only applicable for the poorer members of their community. It is unnecessary for me to consider the first possibility that all the members of the Protestant community in Limerick are poor, for however deplorable is the condition of those mentioned by Dean Banbury, he would not contend that the vast majority of the Protestants in Limerick are not in a very much better condition, and are not called upon to send their children to a charity school. But on the second head, that it is only the poorer Protestants who desire to have their children educated in Limerick, I say this is a possibility, and Mr. Dean will excuse me for following his own example in trespassing, as he said on somewhat tender ground, but if it is the fact that it is only the poorer Protestants who desire the education of their children at home, then I say it does not reflect credit upon the educationists of the Protestant community, and does not appeal for the approbation of the Commission. Lastly, Mr. Dean has certainly put forward an unwarrantable plea, if he relies upon the failure of the Protestant community to supply proper education for their own intermediate class, and appeals to the Commission to maintain him in a position which supplies from a charity fund that education which properly ought to be supplied by their own resources. There is this one other point suggested by his remarks, and that is that we have in the Roman Catholic population, not merely a number of what, I think he admitted, did not exist in the Protestant community, namely, what I would call the destitute poor, as

opposed to the struggling poor. He put forward the struggling Protestant poor, or it were, as a counterbalance to the destitute poor upon the Roman Catholic side. He seemed to say "we admit we have sufficient educational provision for the lower class of our Protestant poor, but we have a class in a higher department of poverty which requires to be met in this way." Now, I would say that this is not a fair set-off, because there exists in the Roman Catholic community also, not merely the destitute poor, but also this higher class of poor in more alarming proportions among the Roman Catholic population than among the Protestants, and if the Protestants can say "our lower classes are provided for," surely we have a very much stronger case, when we can say, "our lower class poor are not adequately provided for," and in addition to that the higher class of struggling poor exists amongst us in higher proportions than among the Protestants. But the real point about Leamy's school is that it is not confined to any class of poverty, but as a matter of fact, and as Dean Banbury himself stated yesterday, it is practically the only intermediate school which the Protestants of Limerick use, and they use it without any discrimination as to whether they are poor Protestants or not. Now this is a fact which certainly does not appeal for the approbation of the Commission. The fees charged in Leamy's school, are charged to rich and poor Protestants alike, and are regulated upon too low a scale, if you put out of sight the fact that the recipients of this endowment should be fit and proper objects of charity.

Dean Banbury.—We are bound by the Charities scheme to charge those fees.

199. Mr. Doyle.—Still it is an undoubted fact that this school is availed of by the whole body of Protestants in Limerick; that is a state of things which does not call for the sanction of the Commission. Leamy's endowment is being used, for educational purposes, in a way which attempts to carry out the provisions of Leamy's will, but which practically excludes the whole Roman Catholic community of Limerick. If Leamy's endowment be divided between Roman Catholics and Protestants in arithmetical proportion, the Protestants of Limerick would then practically be excluded. What we ask for is a compromise between the two, that the endowment shall not be maintained in its present condition, that it shall not be divided in arithmetical proportion, but that, as the Lord Bishop stated to you yesterday, a fair concession be made, and a practical working method be arrived at by a division of the endowments between one and the other.

200. Rev. Dr. MOLLAT.—What division do you propose?

Mr. Doyle.—I would rather leave that to the Bishop. I am not in a position to go into figures.

201. Rev. Dr. MOLLAT.—If you could agree with Dean Banbury now, it would help us very much.

Dean Banbury.—You ought to bear in mind that the money we are fighting for amounts to only £300 a year, and the buildings are in a very bad state of repair. It seems a bagatelle to make such a fuss about. If that £300 is divided in any way it will be quite useless, the institution cannot be carried on by a division. I am most anxious to arrive at a compromise, so am more anxious, and I would be most delighted if any agreement could be arrived at.

Mr. Doyle.—I hand in that list of successes, to show the work that the Christian Brothers are doing. [Hands in document].

James Quinn, esq., J.P.

James Quinn,
esq., J.P.

202. I want to make a few remarks upon Munget first, and then upon Leamy's, in which I am interested as a citizen of Limerick. I think they stand on a very different footing, and ought

to be treated separately. Munget College unquestionably belongs to the county and not to the city of Limerick, and Leamy's School, as the intention of its founder, was principally directed to the advantage of the

poor of Limerick and its neighbourhood, the poor of Ireland were allowed to come in, but that was simply an exhibition of the broad-mindedness and unsectarian feeling of Leamy. His real intention, I think was, that it should be spent for the poor of Limerick, and the immediate surroundings. Munro was established for an agricultural school, and it unquestionably failed. It then was sought to be revived as partly agricultural, and partly educational, and it did not do well. Finally, the trustees, more or less in despair, having a white elephant on their hands, handed it over to the care of the Jesuits, for purely educational purposes. They have done their work extremely well since they have had it in their hands, and if they were deprived of Munro, you would find it very hard to get a tenant to go in there, and you would find you had another white elephant lying on your hands. But Leamy's is upon a widely different footing. The school was established for the education of the poor. The poor of Limerick are not being educated at Leamy's; they have got no share in its benefits. Mr. Brown made a remark yesterday, which I was sorry to hear him say, to the effect that the education given in Leamy's School was the worst in Limerick.

203. Dr. TRAILL.—It was his Lordship made the remark, and we corrected it for him, I think.

Mr. QUINN.—There is a certain amount of excuse for the remark, but I don't at the same time think it should be made. When schools all over the country are taking advantage of the Intermediate Education Act, I think it is a very suspicious thing that the pupils educated at Leamy's School don't take advantage of that Act, but at the same time, from what I know of Mr. Dowd and Mr. Mercer, I would be inclined, with a certain amount of reservation, to accept what they say, and to think that a fairly good education is given in the school. But I protest most strongly against what Dean Banbury said yesterday, regarding Catholic education in this city. In face of the enormous success achieved by the Jesuits and by the other schools under the Intermediate Education Act, which are absolutely incontrovertible, he could not but admit that splendid successes were achieved by individuals, but then he goes by insinuation to damn the whole system, by saying that clever boys were pushed forward, and the others neglected.

Dean Banbury.—I did not say neglected, and I did not intend to convey the idea.

204. Mr. QUINN.—Most decidedly that idea was conveyed to my mind.

Dean Banbury.—I did not go so far.

205. Lord Justice FRYGROUSE.—What I understood the Dean to say, has been said by others, that the tendency of the Intermediate system is to make it the interest of those who have large numbers to choose from, to take the clever boys and push them on unduly from primary into intermediate schools.

Mr. QUINN.—I should say the tendency of every school is the same. The Intermediate Education system only accentuates what takes place in every school.

206. Rev. Dr. MOLLAY.—It seems to me that the Intermediate Education system is more free from the tendency objected to than any other system of examination. It encourages the schoolmaster to teach mere pass boys, by paying him result fees in proportion to the number of boys who pass the examination, and not in proportion to the number who get honours or exhibitions.

Mr. QUINN.—At present the Intermediate system is the only valid test we have of the efficiency of schools, and it has proved that Catholic education in Limerick is managed on very good lines. The results of Leamy's to the general public are nil. It may be very good, I accept to a certain extent the assertions of Mr. Dowd and Mr. Mercer, but we have the proof that Catholic education in Limerick is worked on a very good system, and with very good results. It seemed to me that Dean Banbury wished to convey, by

insinuation, that Catholic education was not as fairly or as properly managed in respect to the boys who were not clever, as the system of education that prevailed in Leamy's School.

207. Rev. Dr. MOLLAY.—We did not understand the Dean to insinuate that.

Mr. QUINN.—There was another part of the Dean's speech, which came on me with very great surprise, and I am not aware whether he intended it as a joke or not. He said one of the reasons why Leamy's School should be held in its present position was, that it would be a very great injustice, not to the Protestants, but to the Catholics, to alter it. He said there were a great number of Catholics, who, but for fear of the Most Rev. Dr. Butler and the priests and other people, would be most happy to attend Leamy's School; that at the present moment he has four Catholics attending. He laid this down in such a thorough-going way, that I feel called upon as a person having a much greater experience of the Catholic poor than he has, to give it an emphatic denial. I am born and bred in the city; I am a man giving a fair share of employment, and having a great many people depending on me, in addition, I am an active member of a society which obliges us to visit the poor in their own homes, and in the course of fifteen or twenty years there is hardly a lane in this parish of St. Michael's, which is practically the whole of the city, and in which Leamy's School stands, which I have not visited. I have seen the real poor, and I can assure Dean Banbury, that what he says about the feelings of Catholics wishing to go to Leamy's, under present circumstances, is absolutely baseless and unfounded. The Catholics are quite as anxious as he himself for denominational education. Lord Clonara yesterday made a very pertinent statement; he said you must define what a poor man is; but his answer was a little curious: he said, "a poor man is a man who has £100 a year and twelve children." But I know men in this town, who have not £100 a year, and have not twelve children, yet they are very poor. I don't think Lord Clonara is so conversant with the poor of the city as I am. I think the definition of poor, are the people who work for daily or weekly wages, who generally have a family to support, and who live in lanes in the midst of squalor, and from whom starvation is only very little removed, and I think it was for those people that Leamy with his broad-mindedness left this donation, and those are the only people who have a perfect right to enjoy it. I would also direct your attention to another very remarkable statement of Dean Banbury's. He stated that so far as he was himself concerned, he thought the only proper system of education in Limerick was denominational education. We are certainly at one with him there, and at the last sitting, we had witness after witness at both sides, stating the same fact; but immediately after that he goes on to say, "you ought to give us Leamy's as an un denominational establishment; you ought to leave us a thing which we admit is wrong, so far as the practical working of education goes." Now, I would ask, what is the reason he said this? I am sorry to say there is only one answer. He knows perfectly well, that if Leamy's School is kept "un denominational," he and the small section of Protestants, who are, practically speaking, not poor at all, will have all the advantages, and the poor, of whom 95 per cent. are Catholics, simply cannot get in.

208. Dr. TRAILL.—When you say the Roman Catholics won't avail themselves of it, do you mean that they don't wish to do it, or are compelled not to?

Mr. QUINN.—They don't wish to do it.

209. Dr. TRAILL.—How do you account for the fact that there were twenty-seven who were withdrawn by the late Bishop, and that since we were there, before the motion, there were twelve?

Mr. QUINN.—The number is very small, having regard to the number of Catholics.

210. Dr. TRAILL.—The Dean's statement was, that

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James Quinn,
esq., c.p.

Oct. 16, 1899.

James Quin,
Esq., J.P.

there were a certain number of Roman Catholics in the town, who, if they were not interfered with, would wish to go there. And you have the distinct statement of the Bishop that he would not allow them to go there.

Mr. Quin.—There are always a certain number of catholic people in the world, who are just like pigs, if you tell them to go one way they will go another.

211. Dr. TRAILL.—But they did leave. It is hardly fair to say it is a matter of their own good will.

Mr. Quin.—It is a matter of their own good will, because they recognized the wisdom of his lordship and of the priests, and of the people who are able to judge. When we tell them there is very great danger in going to a mixed school, and that education under those circumstances does not work well, I think I may fairly claim Dean Bunbury as a person who will bear me out in that remark. He said un denominational education was bad.

212. Dr. TRAILL.—I only understood him to say he preferred the other. He did not say un denominational education was bad.

Dean Bunbury.—No, I did not; but if I could have denominational education I would.

Mr. Quin.—Well, to continue, we may safely say that Catholics will not go there, either of their own free will, or for other causes, and keeping that school "un denominational" will keep it in the hands of a small minority who, practically speaking, have no poor; the intentions of Leamy's will will be defeated, and the poor of Limerick will not receive the benefit to which they are justly entitled. If the Protestants really want a middle-class school, as far as buildings go, they have got one actually built for the purpose. They have got the Roxborough-road School, built by presentment of the County Grand Jury to meet this very want; and I remember, as a child, old men telling me of the high-class of education they got at Hall's, this free school. This school was alienated from the purpose for which it was founded, by what we may

fairly call most unwarrantable means. It is now being used for a system of proselytism, which is revolting to the ideas of Catholics. I think Mr. Gregg—

Lord Justice FINLAY.—I don't think we ought to anticipate Mr. Gregg's case. And you must bear in mind that the endowment that formerly attached to the Roxborough-road school has gone. There is nothing left but the building.

213. Rev. Dr. MULLOV.—I understand your point to be, that the Protestants of Limerick had a middle-class school and they let it go down?

Mr. Quin.—They allowed it to be turned away to another purpose, against which we, the Catholics, strongly protest.

Dean Bunbury.—It was taken away from us by the Church Act.

Mr. Quin.—Well, that will come on later. I think there have been a great many side-issues brought in here. We want to find out to whom do Leamy's school and endowments belong. I have heard speakers after speakers complain of the great injustice that will be done to the Protestants if this school is taken from them. We do not seek to do injustice to anyone. If the Protestants can show that they have poor sufficient, or that we have no right or title to this place, we shall certainly have no more to say to it. But we do not want injustice to be done to the Catholics. We consider that this endowment and this school were left to the poor of Limerick, that the Catholic poor are 95 per cent. of the population, and that in strict justice we should get 95 per cent. of the school and of the endowment. But at the same time we are anxious, as the Bishop has said, to be generous in the matter, we will let by-gones be by-gones, though in strict justice we might ask for an account of the money they have wasted and not given to the poor, but we have to leave it simply in your hands, and we hope sincerely that justice will be done.

Rev. Mr. Rosendale.

Rev. Mr.
Rosendale.

214. Allow me to explain my position. You asked me to consult with those who might agree with me in this matter. I asked you did that include the Dean and those interested in Leamy's school, and you said "decidedly." We met together, and those who held possibly the extreme views of myself were perfectly satisfied, the more we went into the matter, that the Catholics had no ground of attack on this question, that the endowment was a Protestant endowment. But unfortunately through the courtesy of the Protestants, Catholics had been allowed to come in, and hence the present action. It seems almost a pity that any Catholic official ever was put on the executive of the school. The Dean's facts, with regard to the poor and the history of this endowment, have not been answered, and I may turn to other directions. We, Protestants, are not responsible if there has been any derivation from the conception of the strict meaning of the word "poor." The Court of Chancery is responsible for the scheme which was given to the present trustees to administer. The present trustees have administered that scheme to the best of their ability. So that if it were true what the Catholics say, that there has been no proper provision made for the poor under the present scheme, I say distinctly that the blame lies upon your predecessors in this matter of fixing educational endowments, and not upon the trustees. It is a singular and significant fact, that the lawyer who pleaded yesterday on the opposite side acknowledged, that if any of this money was obtained it would not be used for the very poor, but that they should imitate the present Leamy trustees and use it for a better class of poor.

Mr. Broune.—I beg your pardon, I said a portion of it would be applicable to such a purpose, but I did not mean to exclude the absolute poor.

215. Rev. Mr. Rosendale.—Nor do we, there are

absolutely poor children there now as scholars. And it comes with very bad grace from those who say that, to complain that we have not done our duty towards the poor. Then again I say that we are not responsible for Catholics not participating in this endowment to the fullest extent; the Catholic Bishop is responsible. He has to settle that matter with his own conscience, with his own clerical superiors, because I believe this thing comes from further back than the Catholic Bishop himself, and he has to settle it with the poor people he is robbing of their share of the endowment. I hold the strong view that the Catholic Bishop in doing these things has done an illegal act, and if this Commission comes behind the Bishop to support him, I shall say this Commission has done an illegal act. I maintain the father of a family has sacred rights to get the very best education for his children, uninfluenced by any man, either politically or ecclesiastically. The liberty of the subject has been infringed in this matter most distinctly. The Catholic Bishop has not yet dared that he withdraw those thirty children, that he from the altar side he would deny them communion in the strongest way the Catholic Church gave him power; he used his power over the consciences of those fathers and mothers who wish to have their children educated in this school. That is a complete answer to the question as to why Catholics don't participate in this bounty. Now I have to draw your attention to the law of dissent in this matter. If anyone takes the position the Catholic Bishop has taken, the law gives him perfect liberty to say, "I will not participate." Supposing a museum is to be put up with public money I may say, "I will never go into that museum, I will try to influence people not to go in;" but the law has never enabled me to say, "pull that museum

down, and give me my share of it that I may build up my own little mission." I consider every citizen has the same right to say that as the Catholic Bishop. There could be no benefit, no scheme under which men could co-operate for right and proper purposes, if every contumacious individual—excuse me for using a strong word—had a right thus to claim to be paid for his contumaciousness. We dissenters were in that unfortunate position that we would not go into the parish church, but we never asked you to pull down the parish church, and give us our share of the proceeds. That is what the Catholic Bishop is doing in this matter. I say distinctly that this is a Protestant endowment, Leamy was a Protestant, and I believe on these grounds this endowment ought to be withdrawn exactly on the same conditions as the Villiers' endowment, that it does not come within the scope of your Commission.

216. Professor Deane.—Villiers' endowment was not withdrawn.

Rev. Mr. Baileys.—Well, it was settled by you without attack, perhaps that is the better way of saying it. There is a tendency in the Irish mind just now to try to bridge over our differences. Since this Commission has been here I have been on half-a-dozen committees with Catholics; at every one of these committees we have had to say we must not perfectly undenominationalise, if there are any benefits we must help each other to partake of them without raising any religious point. Take the case of the School of Art, my own boy is there educated by a Catholic, I have no objection to that because I am certain he will not attempt to interfere with my conscientious rights. And if the Catholics will not avail of this system I really don't see that they can blame us. Allow me to say just one or two words with regard to the framing of these schemes. Sir Stephen de Vere spoke of the conscience clause at Mungret. I do hope that in any solution you may make with regard to Leamy's conscience clause will be kept unviolated and untouched, that it shall be the right of every citizen in this town to send his child there, and that he shall have the liberty of withdrawing him from any teaching which may seem to him to be detrimental to his religious interests. I hope that in Mungret you will not touch that principle, unfortunately at present the thing is so constituted that we cannot use Mungret, but if you make Mungret a Uni-

versity College, as you shadowed forth when you were here before, and if you give it those higher privileges and titles which fairly belong to it, and to which I have no objection whatever, what I ask is that the conscience clause shall be kept unviolated, so that if there should come a better time we, Protestants, might have the right of giving our children a chance of enjoying these advantages. I was delighted to hear Sir Stephen de Vere saying he would be a trustee of no school in which there was not a conscience clause. I am at the opposite pole from Sir Stephen generally, but I echo his words. I venture to say there is a solution to this, which has been before me all along, and that is simply to leave each other alone. Leamy's, I think, is a Protestant Endowment, I am sorry the Catholic Bishop attacked it, we have gone two days through the mud because of that attack, and we are no better off; but still saying give us Leamy's and leave the conscience clause. It is not so much a squabble as to denominational education, but it is a squabble as to who shall have the authority in each of these places. Let us have the power as Leamy's, and let the Catholics unseat themselves, settle the power at Mungret keeping still a conscience clause in both places. And if there be any other endowments, they may be discussed on their own merits. One of the most singular things is the letter of the Catholic Bishop, where he has acknowledged that Leamy's is an undenominational endowment, and he then offers us £20 a year as compensation for our claim, when we feel Leamy's is ours. When he offers the diocesan school which was in ruins before Canon Gregg took it—that is playing with us. One more point, both Mungret and Leamy are undenominational endowments, "very well," I say. The Catholic Bishop says "I don't believe in undenominational endowments, and every penny you put in my hands I shall use for denominational purposes." I say it is a perversion of public funds to take undenominational money and give it for denominational purposes. You cannot do it by the law of the land. It is completely turning the trust in other directions. There is another slight point, that is the distinction between a private endowment, such as Leamy's, and a public endowment. The public funds flowed from the Government, if a Government in their wisdom see fit to do this or that, they are within their rights, but they are not within their rights in taking private money left for undenominational purposes, and giving it to the Catholic Bishop for different purposes.

Oct. 20, 1889.
Rev. Mr.
Baileys.

Bishop O'Dwyer.

217. I should just like to revert to the question of Mungret, with regard to utilizing some of the money for teaching agriculture. It is to say to you that I did not make the suggestion about applying it through National Schools for the teaching of agriculture in haste. I consulted some persons connected with the National School system, and I think if you give it your attention, with the particulars you may have in Dublin, for further information from the National Commissioners of Education, I think you will find that an enormous amount of good may be done for the country by that system. I lived for a long time as a curate in the county Limerick, and I was much impressed by the absence of knowledge of farmers on that question. I have very maturely considered the matter before I made that suggestion.

218. Lord Justice Fitzgerald.—How did it occur to you to apply it? They have result fees at present for agricultural teaching under the National system. The whole amount of this would be very small.

Bishop O'Dwyer.—There are one or two endowments of a similar kind worked already under the National Board that would give a precedent. They offer prizes to teachers through a certain district for competition amongst the teachers whose schools attain the highest standard in a particular subject, and they offer a prize to pupils who answer best in that particular subject. The prizes will be sufficient to stimulate the schools in a particular district, although the sum

may not be large, such as the HBI prize, and the Foster prize, and an Inspector told me it worked very well. In Kerry they have prizes specially for monitors, and a School Inspector told me recently that the result of that prize system has been that the monitors in the National Schools in Kerry are the best in the entire country. Now, coming to Leamy's School, there is a little matter of order I wish to remark upon, it is this—I don't understand precisely on what principle your lordship has ruled that Dean Bunbury is to have a reply in this matter. The reason I raise the question is this—Dean Bunbury spoke yesterday, if I understood him, as the representative of the Protestants of Limerick.

219. Lord Justice Fitzgerald.—It was as representing the trustees of Leamy's School that we heard him. We generally treat those who are in the management of the endowment as being the official representatives of it. Of course he appeared as a representative of the Protestants also, we cannot deprive him of that capacity.

Dean Bunbury.—I appear in a dual capacity.

Bishop O'Dwyer.—But I merely wish to have it clearly understood that we don't recognize any denomination as being in possession of Leamy's endowment. So that when there comes to be a settlement about it there will be no question of dispossessing anybody.

220. Lord Justice Fitzgerald.—The existing trustees include two Roman Catholics, it is a mixed body at present.

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Bishop O'Dwyer.—Quite so; it is an undenominational endowment at present—it is a mixed body in the government, and they have a Catholic teacher, mistress of the school, and therefore, if you come to deal with Leamy's there can be no hardship alleged by anybody at being disseminated, the Catholics are as much in possession as the Protestants.

231. Dr. TRAILL.—Would you apply the same observations to Mungret?

Bishop O'Dwyer.—Not at all.

232. Dr. TRAILL.—Why not?

Bishop O'Dwyer.—I will tell you. The Jesuits are acting as a private body, looking after their own rights in Mungret. The Jesuits represent no diocesan, and no Catholic interest whatever. You have to deal with the Jesuits as a number of gentlemen, educationists, who made a bargain with the trustees of Mungret to do certain things on certain conditions, and you are to determine what are the equitable results of that bargain now.

233. Dr. TRAILL.—Are we to recognise them as being in possession?

Bishop O'Dwyer.—With regard to Leamy's endowment, you have a trust created by the Court of Chancery for the purpose of giving the benefits of the endowment to Catholics as well as Protestants of Limerick. You have a Board constituted in a particular way for that purpose. That the Catholics do not wish to use it in that way, may be a reason for your altering it, but it does not lie in the mouths of those persons, who come here and claim that it is an undenominational endowment—it does not lie in their mouths to trust it as a denominational one, and say, "we are in possession of it."

234. Dr. TRAILL.—The same remark will apply to Mungret, where the school is to be opened to boys without religious distinction, yet it is in possession of the Jesuits.

Bishop O'Dwyer.—That is between you and the Jesuits as a private body.

235. Lord Justice FRYGIESS.—I should be sorry to offer any suggestion to your lordship as to the mode of dealing with this case in argument, but I do not think it is profitable to get into a comparison between Mungret and Leamy's on this question. There are two Protestant trustees of Mungret, the trust is to keep the place open for all boys of the locality without religious distinction, and the Jesuits are only entitled to remain there so long as they carry out a school in accordance with those rules. Similarly in Leamy's, there are what I may call in the Darwinian sense, rudimentary Catholic governors. If things were satisfactory, we would not be here. It is because they are unsatisfactory that we are here, and there is very little profit in discussing the present condition. Dr. Traill and your lordship are getting into a discussion on that, and speaking for myself, it would never affect my mind who were in possession, when the results of the possession are not satisfactory.

Bishop O'Dwyer.—Well, I assume no denomination is in possession of Leamy's at present.

236. Lord Justice FRYGIESS.—No denomination has any exclusive right there.

Bishop O'Dwyer.—The first point that I wish to dwell upon with regard to Leamy's, is the obligation, that I hold, rests on the Commission, of devoting the money to the education of the poor. Until you find that there is no useful or legitimate application of it for the poor, I don't think you are at liberty to devote it to any other class. Now I would wish to mention a few facts with regard to some of our poor schools. We know they educate children by the thousand, male and female schools, but multitudes of the Catholic children in Limerick are so poor, that they are fed and clothed in the schools out of private charity. One Catholic gentleman alone in Limerick, is giving from £50 to £100 a year—I am not precisely sure of the exact amount—for the purpose of giving bread and milk to the poor starving Catholic

children, who are sending to some of our primary schools. The means in another school are clothing a large number of the children that come to them. The Vincent de Paul Society vote money to the Christian Brothers to buy books for the boys who are so poor that they cannot supply themselves with the necessary books. The Vincent de Paul Society has the ground-rent paid for a National school, and help is given to the poor children, partly by the St. Vincent de Paul Society, and partly out of a charitable fund I have at my control. So that as a matter of fact, you have very large sums of money supplied by the private charity of Catholic individuals to supply the absolute necessities of life and education to the poor Catholic children of Limerick; and these children being counted by the thousands are we to be told that having a sum at your disposal there is no necessity for that among the poor, and it is necessary to look among the rich or higher classes for recipients. There was a good deal said yesterday about some sentimental cases of poverty, impugning respectability with a huge family. That is not any special privilege of Protestants distinct from Catholics. We leave that class among the Catholics as well as among the Protestants, and I don't object to any fair and liberal interpretation of the word "poor," that will include such a class. But I do object to bringing in such a class under the definition of "poor," and then turning round as if the word "poor" did not include any other class, and excluding the poor, who are to be counted by thousands for the sake of the poor who are to be counted by tens. If you determine, as I believe you will have to determine in justice, that the poor are to get the benefit of this endowment, I, of course, by virtue of my office as Bishop, can only plead for the Catholic poor, and I must only express my regret that there is no one to plead for the Protestant poor. But as a citizen of Limerick, and a man, I say it is a shame to turn away money that ought to be given for the poor, and apply it to people who can pay for their education. Why don't the gentlemen who say they want an Intermediate School do as we do? What supports the school in the Crescent?—The money of the people who pay for their sons' education. What pays for the school I have?—The people who pay for their children's education. You have Limerick divided into wealthy Protestants, and a large mass of poor Protestants, and the wealthy Protestants, who would not put their hands into their pockets for a £5 note to pay for the education of their children, want to come in here and seize on the one endowment for the poor. Now as to whether it is denominational or undenominational, as I understood, Dean Bunbury asked that this school should be maintained as an undenominational school, and I heard him quoting some passage from a letter of my own to the Commissioners, in which I used the words "it is an undenominational endowment." And Dean Bunbury enforced his argument by saying, "It is on the Bishop's own admission an undenominational endowment." Let it remain, then, an undenominational endowment. I really could hardly believe that it was Dean Bunbury who was giving that evidence, when he pressed on this Commission that the school should be maintained as an undenominational school. But I was present when Dean Bunbury gave his evidence to you last year, and I find Dean Bunbury then came up and said

"Might I supplement my evidence upon one point?"

And this was not a thing forced out of him on examination, it was his own deliberate volunteering of evidence.

"You asked me how I can account for there not being more applicants for admission. I think one of the hindrances is, that it is a godless institution—there is no religious education."

Dean Bunbury denounced that place, he, a minister of religion, and the Dean of the Protestant Church in Limerick, as a godless institution, and he now asks you to maintain it in the same condition. I think it

is a most extraordinary position, and I say utterly contradictory of the position he occupied yesterday. Then it goes on:

"Lord Justice FitzGibbon.—Is there no religious education at all?—I believe the masters do read the Bible without note or comment, the flowermen don't feel themselves justified in going further." "Dr. Holey.—Do you think it desirable that the Governors should have power to give religious education?—Most certainly, I think there is a great want of it, and that doctors prevent." "That would mean that the schools should be denominational?—Most decidedly, I don't think it could work otherwise."

And yesterday he says it is undenominational, and here it is denominational, and I think that that is a most discreditable contradiction for Dean Bunbury. One day he is undenominational, another day he is denominational, for the simple and sole purpose, it is obvious, of securing the endowment for the party which the Dean represents. But if ever it is true, it is true here that a minister of religion cannot serve God and Mammon.

Dean Bunbury.—I think you will find that I qualified what I then said.

227. Bishop O'Dwyer.—Mr. Dean, you will have an opportunity of replying. The Dean undertook to lecture me yesterday upon the discharge of my duties, as bishop of the diocese, and to reprehend me for pointing out to the Catholics under my jurisdiction the impropriety of sending their children to a Protestant school. I have just chanced to meet, within the last two days, the address of a neighbour of mine, the Protestant Bishop of Cork, at the diocesan visitation at St. Finn Barro's Cathedral, within the last week, and I beg your attention to this passage—

"There was one fact which was to me a cause of deep anxiety in this diocese, that a large number of Protestant children were attending schools under Roman Catholic teachers. The cause would generally be found in the distance that the parents live from a Church school, but not always so. He grieved to say that parents did not always realize the danger to which they exposed their children by the teaching and association which they provided for them."

Now, change Cork for Limerick and Protestant for Catholic, and those are my views, and those are the lessons which I have been teaching to my people; that they are bound, where they have a Catholic school, to send their children there, and that they are running a wanton risk to the faith of their children, that they are bound to prize before anything, if they are sincere Catholics, in exposing them to the influence of mixed education. That is what I have taught them—that is what, I believe, the Protestant bishops of Ireland are teaching—that is what, until yesterday, I believed Dean Bunbury was teaching; and I say it is a shocking thing to find that where there is a question of a few miserable pounds that principle will be trampled under foot. Therefore I say I am plainly justified in advocating the principles of denominational education, and using my legitimate authority over my people to enforce them. You have gone all over Ireland, from end to end; you have seen the working of the causes that influence the minds of the people in every part of Ireland, and wherever Catholics are free, and Protestants are free, have they not denominational schools? If there is one thing more potent than another, is it not that they divide themselves into Protestant schools and Catholic schools, and so strongly is that found to be the case, that here in Limerick the National Board have been compelled to depart from one of their rules in order to recognise that fact. One of their rules is, that they will not allow one National school within a certain distance of another; but here we have National schools back to back, because they recognised that distance of religion is as great as distance of place. You have St. Michael's Protestant school back to back with the Catholic school in Ferry-square, and you have Villiers' school close to a Catholic school. At last the Commissioners of National Education have learned common sense.

228. Dr. TRAILL.—The Judicial members of this Commission are two of the Commissioners of National Education.

Bishop O'Dwyer.—I beg their pardon. Perhaps their accession to the Board is the cause of the improvement. However that may be, it is a fact that no school in Ireland will work on undenominational principles; and, therefore, if Leamy's school is to be made a working school, it must be denominational, particularly if the poor of Limerick are to get any benefit of it, who are, nineteen-twentieths of them, Catholics. Now we have a question put to us, if it is given to one denomination, what denomination ought to get it? You have in Limerick a Protestant body about 5,000 strong, including all the landed gentry, like Lord Clonina and Lord Montagu and Lord Limerick, and all the great wealthy merchants and the principal shopkeepers of the town, so that practically you have the wealth of Limerick in the hands of the Protestants. And you have 35,000 Catholics who range through every grade, from what you call the upper middle class down to the very poorest of the poor. You have but this one endowment of a neutral character in the whole city to deal with, and these 5,000 wealthy gentlemen come to you and say—"Give us that for ourselves, we want it for this, or we want it for that, we are badly off in that way." And you say—"What about the 35,000 Catholics?" "Oh, they have the National Board, or the Intermediate Examinations, and one thing or another." But have not the Protestants the same State aid in every way? Are we not on all fours with regard to any aid from the State? And furthermore, you have seen the educational establishments now in Limerick. Did you ever see in Limerick an educational establishment built by Protestant money? Go up to Serton-street, and you will see the magnificent buildings that we have raised out of our own pockets for the Christian Brothers. Go down to St. John's, and you will see the magnificent schools we have built for the Sisters of Mercy. Go to St. Mary's, and you will see similar schools. Within the last twenty-five years the poor Catholics of Limerick have spent £40,000 or £50,000 on educational establishments for the education of their children; there is not a single school standing in Limerick, at this moment, in which the Protestants of Limerick put a shilling. Yet here are the gentlemen who come here to claim your sympathy, and tell us, after we have exhausted ourselves in the education of the poor, to shift for ourselves. If there is to be any justice in this matter, if anybody is to get the whole of this it is the Catholic body. If the argument proves anything, it is that it should not be divided. If it is not to be divided, give it to the mass of the population, and give it to that part of the population which includes practically the whole of the poor, for whom it was originally intended. What is to be done with the Protestant body—are they to have any intermediate school, as one person asks; or an intermediate school with the part of Handel left out, without the examinations, as Dean Bunbury asks; or a classical school for his children, as Mr. Shaw asks? In the first place I would say, let the wealthy Protestants of Limerick provide a classical school for themselves, as we have provided three, and if they don't make any effort to do so, their talk here ought to be treated as simply a pretext to get hold of this endowment. Then if they want a classical school, they have their own diocesan school, that was built for them. At the last inquiry here, in 1879, your lordship asked could not a Protestant classical school be supplied by amalgamating the Cresse charity and the Villiers' charity with a share of this endowment, and it was admitted to you that such a school would be sustained by such an endowment. Now let me ask, what has become of the Blas School? They have an endowment there that was given for poor boys, but they turned it away, and made a classical school of it. It was a most successful school for years, so

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successful that Dean Bunbury was relieved from the necessity of paying 1s. under the guarantee to give the master. That went up, and it went down under the Protestants of Limerick. At the Vilher's school they had a right good classical school; they let it go down.

Rev. Dr. Wilson.—I beg your pardon; it has not gone down.

229. Bishop O'Dwyer.—Then there was the Hall charity, which they have allowed to pass out of their hand, and now they ask for this for the purpose of a classical school. No one in Limerick has any claim on this endowment; the poor of Limerick have the entire claim on this endowment, and no one else. And now I would venture to suggest what could be done with this. In Leamy's endowment there is not a sufficient sum of money to build up and maintain a number of independent schools out of itself. But there is ample money in Leamy's school to supplement other endowments and revenues, so as to give greater efficiency to schools that already exist. I propose that Leamy's house be given to us, the Catholics, at a charge of £3,500, because that the house is worth to-morrow to any man who wants it for an educational establishment, and we will put into that house a male National school, we will undertake to fill that house with Catholic boys to its utmost capacity. No scheme that has ever yet been put before you on the other side will undertake to half fill half the rooms of it. There are usually 100 children in it now, the screw has been put on, they have been whipped up from all directions since this Commission sat; they have now a hundred. You have no evidence before you that in the future they will maintain that much. We will undertake to fill the school to its utmost capacity with the very children Leamy meant to have in it. That house, with the commodious residence in it for the teachers will be an immense endowment for our school, and enable us to make that a school equal to the Model School in every respect. Then

with a very small amount from our share of the endowment we will be able to establish in the vicinity a magnificent girls' school under the National Board, equal to that in every respect. For though £140 or £150 are nothing whatever in the entire maintenance of a school given into the hands of people like our Christian Brothers or our nuns, you have no idea of the length it can be carried in adding to the efficiency of our schools. I say that £1,000 or £1,500 will be ample for this girls' school. Then there remains a very substantial sum for the rest of the poor of Limerick, and I think that no more legitimate application of that could be than to the Christian Brothers' Intermediate School, and for this reason, the education there is considerably above the primary education that we generally associate with the poor, but if it is, the poor of that school have exceptional claims upon respect; but of the 1,700 boys that the Christian Brothers have distributed throughout the entire city, they select the cream of them who show special interest, and who are worth advancing into a higher position of life, they bring these all into this Intermediate School, so that whatever you do for that you do for the whole 1,700 boys under the Christian Brothers' control. I went into that school the year before last with Monsignor Perdoné—I just mention this to show the Dean that the school is not a sham school, or that its ordinary working is not equal to the intermediate examination routine. We called up a class of twelve boys, and Monsignor Perdoné dictated to them a sentence in English, and the twelve boys translated that sentence correctly into Latin, Greek, French, German, Italian, and Irish on the spot. One of those boys was the son of a poor carter earning 14s. a week; members of the boys in that school were the children of labouring men. I say, having an endowment at your disposal for the poor of Limerick, it would be a crying shame if such a school did not get help from you. These are the propositions I have submitted to you, and I am very much obliged to you.

Dean Bunbury.

230. I must first say that I am here in a dual capacity. I represent the trustees of the Leamy's school, and I hope you won't deny me the right to appear also as representing the Protestants of Limerick. I can hardly divide myself, and so I must be looked upon, I think, in a dual capacity. I don't know that I need reply to any of the remarks made by either Mr. Brewin or Mr. Doyle, in reply to what I said. I don't think they have upset my position in any way. With regard to the Mungrat Institution I have very little to say, except that this new idea that was broached yesterday by Lord Montagu, that the portion of public money in that endowment should be allocated to its original intention, agricultural education, came upon me somewhat by surprise; and I will ask just this question, are the persons who are now in possession of Mungrat prepared to agree to that? What would be the consequences to them? They would be immediately called upon to pay a sum of money. Do they propose to do so? Would that be convenient to them? I think I heard it was not.

Rev. Fr. Hand.—We do not propose to do any such thing, Dean. We think that if by any chance the Commissioners decide there would be anything to be given to agriculture, that would be a very small portion of the endowment, because in the scheme under which we act that was a very secondary matter.

231. Dean Bunbury.—That is, of course, a thing for the Commissioners' consideration; as to the amount of the endowment whether it is small or large, we cannot settle that. But I just put this forward—would the persons in charge of Mungrat be satisfied to pay a large sum of money?

Rev. Fr. Hand.—No.

232. Dean Bunbury.—My idea is that the suggestion put forward by my friend, Lord Montagu, yesterday, in his new-born zeal for education, "cannot be worked out practically. Now I will pass on to

Leamy's. I hope I won't say anything that will annoy anybody. The Bishop and I are neighbours; he was kind enough to give me a seat in his carriage to-day, and we agreed that we could advocate our principles without any loss of friendships. He told me to prepare for an onslaught. I think his onslaught was mild, much milder than I expected. The point was that I gave evidence before the Commission quite inconsistent with the position I occupy now; I don't acknowledge that. I thought I made it quite plain last year that I had my own views on the subject of Leamy's, while I was obliged, as representing the governing body, to give expression to their views. And I intended to convey that if I had my own way I would make Leamy's school denominational so far as the Roman Catholics were concerned, but un-denominational as regards the Protestant community. That I think is plain, because as it at present exists, in my mind the word "godless" was rightly applied to it, for I don't consider that the religious education that is provided in that school under the Chancery scheme is religious education at all; it is the mere reading of the Scriptures without note or comment. The Roman Catholics in one room read a few books approved of by the Board of Education, and the Protestants read the Authorized Version without note or comment. I don't think that can be looked upon as a religious education sufficient to fortify young people against the world, and the wiles of it. So that I do say still that the un-denominational, as carried out hitherto in Leamy's school, was a godless system, and if it can be avoided I am not in favour myself that it should be carried on. But look at my position. Under Leamy's will I believe that we are bound to maintain an un-denominational institution. The Bishop says himself, in this letter that he wrote to the Commission, "my evidence before the Commission puts my claim on this endowment plainly enough." I must allow that

it does not seem as perfectly plain to me; I believe the Bishop will excuse me when I say that I believe there is an inconsistency in what he put forward. He says it is by the terms of Leamy's will an undenominational endowment.

Bishop O'Dwyer.—Excuse me for interrupting you. "Undenominational" means, as any one can see, that it was not determined by Leamy for the use of any denomination.

333. Dean Rensbury.—Most unquestionably. Well, is not that undenominational. I hardly know the meaning of language if it is not. If Leamy did not determine it should be for any particular denomination, does it not follow that it should be undenominational? And you acknowledge it here, my lord, and say it is an undenominational endowment. And what do you propose immediately after? That instead of one undenominational institution you should have two denominational. Is not that your proposal? Would that carry out the wishes of the will of Leamy? I lay stress on this, because it is important. The Bishop's proposal is that Leamy's School, carried out under Leamy's will as an undenominational institution, should be converted from one undenominational institution to two denominational. Now, standing as I do here, bound, I believe, by Leamy's will, I cannot carry out my own views or desires as regards this institution. Leamy did intend it for the poor generally, and I maintain that as at present constituted it is fulfilling Leamy's will.

334. Lord Justice FRANKENBERG.—This is really the point of the whole case. We quite understand the difference between you and the Bishop in the interpretation of "undenominational." The endowment is undenominational, that is to say it was a fund from which it was intended that all denominations should get benefit. He uses the same expression with regard to Mungret. "This, too, is clearly an undenominational endowment, in which all religious bodies have rights." When Leamy left his money for the benefit of the poor of Limerick, there was nothing in the will to prevent the executors from giving a subscription to the Christian Brothers, and St. Michael's, and all these other schools, if they had been in existence at that time. Unfortunately the thing has been complicated since by creating one institution. And now the difficulty is to administer a fund, of which he intended all parties to get the benefit, in a single institution. You are quite correct in saying that the Bishop's proposal leads to having two institutions, absorbing money out of the endowment. The question for us is whether that is contrary to Leamy's intention or not. It is contrary to the scheme. Leamy's endowment was given for all denominations at a time it was thought all denominations could get benefit under the same system of education. The Court of Chancery applied a portion of the endowment to creating an institution of that kind, and we have now to see how we can make that institution available for all denominations. The Bishop says the only way to do it is to give the buildings to him, and to apply money for the other denominations. You appear still to think it can all be done under the one roof.

335. Dean Rensbury.—I would ask you, do you interpret Leamy's intentions in accordance with the Chancery scheme, or do you put aside that scheme, and say "we will interpret Leamy's intentions as we please?" He did not give very definite or clear directions as to how this money should be used, but it would alter altogether the matter if you put aside the Chancery scheme, and say that you are in no way bound by that scheme, which has been in existence now for forty-seven years. Someone said to-day that a particular school was in existence for thirty years. Leamy's School has been in existence for forty-seven years. Of course if you say, "we have the power to do it"—I suppose you have the power—"we have the inclination or intention of casting aside this Chancery scheme," it alters the matter altogether. I could not

from reading Leamy's will stand up and say that he intended it to be an undenominational school, no one could, but I am acting upon the interpretation of Leamy's will, given by the highest Court of the land.

336. Lord Justice NASH.—I think when the Court of Chancery did that, it did not mean to lay down that that was the only interpretation of the will, but it considered that that was the best of several means of carrying it out.

337. Dean Rensbury.—Their wisdom decided on that. It has been carried out since and confirmed by a further scheme from the Court in 1874, and I say I do stand up here interpreting Leamy's intention through the Chancery scheme, and that is undenominational. I am forced to accept that interpretation of it, and I don't see how Leamy's intention as so interpreted can be carried out except by the institution that is in existence now. I don't stand up here merely to advocate the claims of the Protestants as regards this institution. I have every kindly feeling towards my Roman Catholic countrymen. I repudiate the idea that I can have no interest in the welfare of any man who does not worship with me at the same altar. And when I speak in favour of Leamy's institution on behalf of the Roman Catholics, I may be misunderstood—it may be a case of fearing the Greeks offering gifts; yet I will venture to say that I do in all sincerity stand up here to advocate the welfare and the claims of my Roman Catholic friends. I know the Roman Catholics and the Protestants fear each other in this country too much; but I hope the day will come when we will fear each other less, and that we may perhaps consent to allow our children to be educated, secularly at all events, shoulder to shoulder. I may be too sanguine, but I hope that the time may come, and therefore I say that Leamy's institution, although it may not be allowed to work—excuse me for using that term, my lord—may not be allowed to work on the strictly undenominational system by the clerical authorities in this country, the day may come when they will allow it, and that Leamy's school will be a boon and a benefit to the people of this district at large. Therefore when I ask that Leamy's school shall be maintained as it is, although my own views at present are that I would wish, for the sake of those whom I represent, that it should be denominational, in order that a more clear, and definite and real system of religious education should be afforded, yet I am forced under the present circumstances to ask that it should be maintained as an undenominational institution. I might go into side issues, but I don't know that there is any necessity for it. The point is, I think, before us, whether or not Leamy's institution is to be continued undenominational, or is it to be denominational; I think that is the entire point. Of course I must acknowledge that it is not working satisfactorily now, and the probability is it will not work for some time. But let us look a little forward, and not deprive the one class—the one class who are taking advantage of it—deprive them of their rights, because the other class who might avail themselves of it conscientiously are obliged not to do so. A great deal has been said about the wealth of the Protestants of Limerick, and that they never gave a penny to build schools. Now I am sure the Bishop cannot know the circumstances of the case or he would not have made that remark. Does he know the number of schools in Limerick that have been built by Protestant money? Does he know that St. Michael's school was lately created by Protestant money? Has he seen that school, it is a little way down near St. Michael's Church, that was built entirely by Protestant money (I believe it cost about £1,600), within the last four or five years. Look at the Villiers' school; was not that built by Protestant money? Look at other schools, look at Leamy's school; well that was built by Protestant money. So I think the Bishop was hardly fair in making that assertion,

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Oct. 14, 1879.
Very Rev. Dean
Baskery.

And I think that the Protestants of Limerick have done perhaps as well as might be expected—well, I don't know that I will say that, I think perhaps they might have done more; but they have done something towards educational purposes. I don't know that I have anything more to say. The Bishop must know perfectly well that if the Protestants don't give sufficient sums of money to educate their own children, they give a very large sum of money towards educating Roman Catholics; I believe the Bishop will allow that. If you look at the lists of subscriptions given by inhabitants of Limerick, you will find that the Protestants subscribe very liberally indeed towards Roman Catholic institutions. I laid stress yesterday on the fact that Leamy was a Protestant, his executors were Protestants, the money came from a Protestant source—and I would ask this question of the Commissioners, has it ever come before them that money derived purely from a Roman Catholic source has ever been devoted towards the maintenance of a purely Protestant institution? I have never heard of such a thing. If such has occurred, it has not come under my cognizance. And here is money coming from a Protestant source, and the proposal is that the greater portion of it should be diverted from its present undenominational purpose, and devoted towards a strictly Roman Catholic purpose. I do not think that anyone could say that that would be just. It has been said to me by a citizen not long ago, that the idea among the Limerick people was that the Protestants had—the word he used was—"nobbled" Leamy's school. I think that those who hear me cannot say that Leamy's school never belonged to the Roman Catholics; it was founded by Protestant money given by a Protestant, and it never belonged to them; and the Protestants have it not in their possession at the present moment; as the Bishop said, it is in the possession of the Roman Catholics, if they availed them-

selves of it, just as much as it is in us. I don't know that I have omitted to say anything in reply that I ought to have said; but this I will say, that I don't intend that my position here should be looked upon as in any way hostile to the Roman Catholics of Limerick. I give them full credit for the efforts they have made. I often hold up to my own people the fact that the Roman Catholics are doing wonders in Limerick from their own point of view, as regards education and money expended in buildings, and I often point out that energy to my own people to spur them up, and I don't stand here in opposition to any effort they may make towards the furtherance of what they think right.

338. Rev. Dr. MOLLOY.—You said you did not know a single example of money coming from a Catholic source applied to purely Protestant purposes. Are there not a large number of your churches, and a large number of endowments for your schools and colleges which came originally from Catholic sources, and which you have taken over bodily.

Dean Baskery.—That is in controversy.

339. Lord Justice FRINGHAM.—I think we might say that all Protestantism comes from Catholic sources in the same sense.

Dean Baskery.—There is one point I just want to say, I did not lay any stress on the point the Bishop brought forward as regards the poor. He seemed to think that I denied there was any poor of the class I described yesterday among the Roman Catholics. I know perfectly well there are numbers, a great many more than amongst us. And I don't want to deprive them from the advantages of such an institution. I said yesterday sufficient to prove to you, to persuade you, to allow you to know that there is a very vast number of poor amongst us of the class and description who have availed themselves of Leamy's Institution, and who, if it was done away with, would have no other place in Limerick at present to afford them the advantages it does.

ROXBOROUGH ROAD SCHOOL.

240. Lord Justice FRINGHAM.—The third matter is much simpler and comes before us in a more definite shape than the others. There was an old provision for Intermediate education in this diocese, as in others, which consisted of a tax on the incomes of the clergy of the late Established Church, set apart since the reign of Queen Elizabeth, as a provision for grammar school education. A subsequent Act of Parliament enabled Grand Juries to give money to build school-houses for the schoolmasters whose salaries were provided by the diocesan tax. This tax was abolished by the Church Act, 1869, and was merged in the Church surplus, and there is no money endowment whatever now belonging to any diocesan school in Ireland, except in two cases, in which diocesan schoolmasters who held office in 1869 are still in receipt of life annuities, but whenever they die, the annuities come to an end. The Rev. Dr. Hall had the post of diocesan schoolmaster in Limerick. He had an annuity for his life, but he ceased to teach many years before his death, he continued to live in the school-house at Roxborough-road, which was built by presentment, and he died in it. The building was the property of the Commissioners of Education in Ireland, a mixed body, who were charged with the duty of looking after it, just as the trustees of Mangrove were charged with looking after that. When Dr. Hall died, Canon Gregg got possession of the school-house from Mrs. Hall, his widow. The house was in a very bad state of repair. Canon Gregg remained in possession with the knowledge of the Commissioners of Education, but apparently without any title until after the last Commission that sat here in 1878. That Commission called attention to the facts; meantime, Canon Gregg had been allowed to spend a large sum of money on the buildings, which he was using for the purposes of

a school. Afterwards with full knowledge of all the facts the Commissioners of Education let the place to Canon Gregg, and he has held it since as their tenant. He has spent a good deal of money upon it, some £500 or £600 were told, very much as the Jesuits spent their money upon Mangrove, on a tenure got from a public body. He is bound to pay a rent of £30 a year, and the question is what are we to do with the public endowment which is in the place. There must be a clear distinction preserved throughout between what is public, and what is private. The buildings were erected with Grand Jury money, and the land I suppose was acquired in the same way, the buildings have been kept in repair, and a good deal of expenditure has been made upon them by Canon Gregg, who is bound at present to pay the rent of £30 a year to the Commissioners of Education for them. He has sent in a claim to be released from that rent, but up to the present we don't see our way to say that he is not bound to pay his rent, nor to doubt that it is public money still available for Intermediate Education, as the old diocesan school was. The real question is what is to be done with the tenant. Canon Gregg, who is managing a school in this building, applied to us to give him a scheme, under our Act, for the management of that school, and we have published a draft scheme accordingly. That scheme has nothing whatever to do with the administration of any public endowment, it is a scheme for the management of a private school that Dr. Gregg carries on, exactly, to illustrate it again by Mangrove, as if we were asked by the Jesuits to settle a scheme for the management of their college, subject to whatever prior title there was, and subject to whatever rent or charge still represented the public interest, and was applicable for public purposes. The draft scheme for the present

Oct. 15, 1889.

Roxborough-road School was published as what is called a "convent scheme." We had no jurisdiction except by consent of Canon Gregg. We have got objections from three parties, first, from Canon Gregg himself, who wishes to amend the scheme by stating more clearly the nature of the transaction by which he got possession of the property. So long as the scheme is correct this amendment makes little difference, it makes none in the operation of the scheme. But his principal application is to insert this amendment. We have got two other objections, one from Bishop O'Dwyer, and the other from the Corporation of Limerick, substantially to the same effect. They first object to any public property that is in this place being diverted at all to the purpose of such a school as is there at present; as regards that we must deal, if we can, justly with the tenant, and the question is whether Canon Gregg is to be put out, and if so on what terms. This is the resolution of the Corporation.

"That inasmuch as the site of the Roxborough-road school was purchased, and the buildings there erected by means levied off the rates of the city and county for the purpose of founding a classical school in which boys, whether Catholic or Protestant, may be educated, and as those premises have now come to be used for this purpose the Mayor and Town Council of Limerick, as representatives of the ratepayers, put on record their opinion that this school should be made available to meet the reasonable educational wants of the Catholic and Protestant bodies respectively of this city."

That I understand to mean that these premises should be made available for the educational purposes of all classes of the community in Limerick, because they were built with public money. On that point I have already mentioned the circumstances with which we have to deal, that the premises were let to the existing tenant by the Commissioners of Education, and that his expenditure was made upon them with their knowledge. The second objection is:—

"On no account can we acquiesce in its being turned into a proselytising establishment, and we authorize the Mayor and Law Adviser to appear before the Commissioners at their sitting next month to protect the interest of the ratepayers in these premises."

We often have to deal with troublesome matters, and we hope to deal with this one with good temper, and at the same time with justice. On that point I should state the position of affairs. A charge of proselytising was made against Canon Gregg before the Commission in 1878. He came forward, and gave evidence disputing the allegations which the charge was supposed to rest the last time that we were here. We think that we ought to hear any evidence which the objectors desired to bring forward. The objection I had better read:—

"I have already submitted my views on this school to the Commissioners, and have now only to add, that while I

shall resist to the utmost its continuance as a proselytising establishment, I shall be very glad to see it returned to the use for which it was originally built, and made a high-class school for the Protestants of Limerick and its neighbourhood."

We must hear this charge against Canon Gregg and satisfy ourselves about it before we give him a scheme to carry on the school. The Draft Scheme contains a provision, to which Canon Gregg objects, that if he admits in children who are not members of his own church, he shall admit them under a conscience clause. The provisions for the management of the school have nothing to do with the question of the public endowment which we consider is there in the rent and in the buildings. As regards the charge against the existing school, we shall hear any evidence or views that the Bishop or the Corporation wish to put forward, and we will ask them to tell us what complaint they make. In this case we have already published a Draft Scheme on March 25th of the present year. Two months were given under our Act to send in objections, and we have got three objections, and our usual course is first to hear the objections of the person in possession.

Lord Justice NAIRN.—We don't intend to hear the general public in this case, because we are dealing with specific objections from particular individuals whom we will hear.

Bishop O'Dwyer.—With regard to your opening remarks that Canon Gregg spent his money on a tenure which he got from a public body, I find that in 1878, before his attention was called to the position in which he was, he stated he had expended £443 11s., so that to that extent that statement should be modified.

Lord Justice FRYGROVE.—Immediately after he got into possession the Commissioners became aware of his being there; he had communications with their Secretary; he became their actual tenant under a written document after our Commission of 1879, but his possession was acknowledged by them long before. He says that he communicated his purchase and his possession to the Commissioners, and applied to them to let or sell the premises to him.

Bishop O'Dwyer.—What I want to point out is that up to December 31st, 1879, he had paid no rent, and the negotiations with the Commissioners up to that time were abortive. But when it was brought out plainly in 1879 that he had no tenure of the place, then he became a tenant, and I say it is only from that date that your lordship's remark applies, that he spent his money on a tenure from a public body. But before that date he had spent £443 11s. on a tenure, which I take the liberty of saying before your lordship, was very discreditably got, discreditably both to Mr. Gregg and to Mr. Kyle, the Secretary in Dublin, and all parties concerned.

Rev. J. F. Gregg, who was sworn

241. When the whole case came before the Commissioners in Dublin they agreed—Dr. Graves, the Bishop of Limerick, being present—to my having this place. When they referred the whole case to their lawyer he could not give any decision on which the Board could act, consequently they could take no step towards me; they had no title. They never attempted to put me out, and it was at your lordship's suggestion I acknowledged the title of the Commissioners, and became their tenant. I could have stood on my rights and remained in possession because their own lawyer could not give an opinion as to whether they had a title or not, and I would not have yielded, only in courtesy, when you put the question to me, "Do you dispute the Commissioners' title?" I said, "I do not; I only want to be tenant." There was nothing discreditably—I got in with the full knowledge of the Board—they themselves found they had no power to put me out—and I merely acknowledged their title because I did not

on a previous occasion, examined.

want anyone to say that I would take possession of property, and hold that property in a wrong way. I did it in honesty, and in the cause of religion, and no one should say a word against me. The proposal came down leaving it to myself to name any rent I liked.

242. Lord Justice FRYGROVE.—What has been the expenditure on the place and at what stages?—I have been expending all along. Sometimes the Commissioners would allow me the money against the rent, and sometimes they would not. Here is the account (produced).

243. Over and above the £30 a year, what was the expenditure of your capital?—I think on the last occasion you told us you spent £480 odd before you got the agreement—I cannot tell you now, but I know I laid out whatever money I stated then, and if I had not done it you could not inhabit the house, for the roof was falling in, and one of the chimneys had to be taken down.

Rev. Canon J. E. Gregg.

Oct. 18, 1893,
Rev. Canon J.
F. Gregg.

244. Rev. Dr. MOLLOY.—Can you tell us how much of your own money, as distinguished from the rent you got from the Commissioners, you have spent on the buildings?—I could not tell you.

245. In your former evidence, in 1887, you stated (Q. 1020).

"Since spending £448 11s. 6d., I had to do a great deal in the way of sewerage?"

Yes, but I don't know the amount.

246. You stated it was £58.

"I had to do a great deal in the way of sewerage and making a cesspool at the end of the field which cost £58."

Besides that, is there anything you have spent of your own?—Continually, every year, because when the architect came down he would recommend certain things to be done, and there was no money to do it.

247. You had £20 a year that the Commissioners gave you?—That would not meet it.

248. How much did you spend over and above that?—I never made a calculation; I could not tell you. I went on as things required without making any special summing up of the amount.

249. You make a claim to have the rent abated in consideration of all the money you expended?—That is one of the reasons.

250. Would it not be desirable you should furnish some account of what that money was?

Lord Justice FITZGERALD.—Don't you publish an annual report?—Yes.

251. Have you an account for repairs?—I have, but they are all mixed between the two schools.

252. Rev. Dr. MOLLOY.—Then in fact you are not in a position at present to tell us how much money of your own you spent on those schools since you got your lease?—I cannot tell you, but I can easily make that up.

253. Lord Justice NAUN.—From this document you have handed in it appears that there were few costs which I suppose you had to pay, £8 5s. 10d., and repairs to the amount of £171 6s. 10d., that makes £179 12s. 8d., very nearly nine years' rent at £20. Were you allowed these items out of the rent?—Yes, that is the way they laid out the rent I paid.

254. Then nine years' rent was laid out on the house substantially?—Yes, and it is on that ground I say that the repairs of the building require that amount, and it is a justification to me for asking an abatement in the rent.

255. But the rent you were bound to pay to the Commissioners was in effect returned by the Commissioners to the buildings?—They did it themselves.

Lord Justice FITZGERALD.—You might have a perfectly legitimate claim to reduce your rent in respect of expenditure of your own money as tenant, expenditure in the landlord's interest, but how have you a claim to reduce the rent by the amount the landlord spent on the premises?—I merely put it that the buildings would require a certain amount each year to keep them in repair, and as the Commissioners have hitherto led the money out I wanted to have it continued in that way.

256. Rev. Dr. MOLLOY.—Besides the £20 a year, the rent which the Commissioners gave you to spend on the premises, did they spend any more money?—No, they did not; they never would spend money when they hadn't it. In the case of 262 you see there mentioned, I was asked to lay money out myself, and told they would allow it in the course of rent.

Lord Justice FITZGERALD.—It is right to say they have never expended any money from any other endowment on the Roscommon-road premises.

257. Rev. Dr. MOLLOY.—Did they pay that £62 back to you?—They paid it back to me; they sent me down the receipt as each year came until it was paid off.

258. Dr. TRAILL.—I suppose you heard that the money was given back by the trustees of Mangret, and you thought you might get it back in the same way?—No, I did not hear anything about it.

259. You did not exchange receipts?—No. As to the present state of the premises, I asked the architect when he was here in June to give me an estimate of what the roof would require in case the matter was settled by the Commissioners. He calculated it would take £400 to put a new roof on the building, and it is in view of such a thing being required that I put in for an abatement in the amount of the rent.

260. Will you have to spend £400 now?—More than that. Mr. Mitchell stated he calculated the size and the work to be done, and he said it would take £400.

261. We saw the roof, and saw that it would likely fall in; is it propped?—At present it is propped; life is not safe there.

262. Rev. Dr. MOLLOY.—Perhaps you ought to give it up altogether?—No, I will take the roof off, but the other matter in reference to the expenditure must be met.

263. Mr. C. F. Doyle.—I appear in the same capacity as in the last case representing some of the Catholic schools of Limerick.

Lord Justice NAUN.—But they are not objectors. Mr. Doyle.—Their interests are practically of course in the hands of his lordship, but I merely wish to ask whether as representing people whose interests formed portion of the interests of his lordship I might be permitted to speak.

Lord Justice FITZGERALD.—No, I think not.

264. Bishop O'Dwyer.—I am an objector, and I would like to question Canon Gregg, but it will be extremely inconvenient for him and me.

Lord Justice FITZGERALD.—We will be glad to hear Mr. Doyle as representing your lordship. In these matters we have to follow a statutory course. We published a scheme, and we can now hear only objectors.

265. Mr. P. S. Connolly.—Will your lordship hear me as representing the Corporation?

Lord Justice FITZGERALD.—Certainly. I have already your objection.

Mr. Connolly.—That in a limited way embodies their views. They feel that the original foundation of this school was from monies raised from the city and county, and therefore in any scheme now made the Corporation ought to be permitted to nominate the governors.

266. Lord Justice FITZGERALD.—I explained already that we don't recognise as a publicly endowed school this Roscommon-road school, for which we published the draft scheme as a consent scheme, but we do regard as a public endowment what I will call the landlord's interest in the place. The scheme does not give Mr. Gregg any interest in the rent. We propose to apply it through the Commissioners of Education for intermediate education in the district. It is open to you to say whether the rent is sufficient or what ought to be done with the public interest in the premises.

Lord Justice NAUN.—The draft scheme proposes to give Canon Gregg an interest beyond what he has at present, but subject to £20 a year.

267. Rev. Dr. MOLLOY.—The site cost £100; the buildings were erected at a cost of £1,670; the buildings were more or less ruinous when Canon Gregg came into possession. The question is whether he ought to be left there, and if so, what he ought to be charged.

Bishop O'Dwyer.—Whether he ought to be left there at all on any terms.

268. Lord Justice NAUN.—At present he has an interest under the Commissioners of Education which we cannot terminate, but you are at perfect liberty to say that we should not extend his interest beyond that.

Bishop O'Dwyer.—What I venture to contend is this, that if you don't get Canon Gregg out of that place, you should leave him as you found him. That school is a standing insult to the Catholics of Limerick.

and we will exhaust every means in our power, before Privy Council and Parliament, to resist its being established in our midst. We want to live on friendly terms with our fellow Protestants, but that we will resist to the very last; it is a slave market for Catholic souls, and we will not have it.

202. Dr. TRAILL.—That requires to be proved, that is one of the questions in dispute.

Bishop O'Dwyer.—Evidence that I have here in print puts it beyond all doubt.

276. Lord Justice FRYGROVE.—You must understand our position, we cannot determine the tenacity that Canon Gregg has, but we can leave him as he is if there is anything in his school making it right that we should not settle this scheme for it by his consent.

Bishop O'Dwyer.—We have no objection to pay Canon Gregg fairly for any entile he has made, and let him take his money elsewhere, and have a Ragged School in one of the back lanes, where he had it before, but we object to public money being used by him in his school. Pay him liberally. I would subscribe out of my own pocket to get rid of him.

Mr. CONNOLLY.—The Corporation endorses what his lordship has said, and the Protestant members are unanimous with the Catholics on the subject. I know nothing about it, I only represent the public voice, but the general idea is that this school is devoted to proselytising purposes.

271. Lord Justice FRYGROVE.—We don't judge people by "general ideas," and I think we ought to hear what the charge against Canon Gregg and his school is.

Mr. CONNOLLY.—The Corporation's only anxiety is that it should not, by any assistance that you give, be established in the city as a proselytising institution.

272. Mr. DOYLE.—I propose to ask the Rev. Canon Gregg some questions with regard to this charge of proselytising.

Canon Gregg.—Am I to be asked questions before I hear the charge that is made? They must give evidence to prove their charges.

273. Mr. DOYLE.—The charge shortly is that this school is used for the purpose of bringing up in the Protestant religion children who, in the ordinary and natural course of things, would be brought up in the Catholic religion, and whose religion is diverted simply by the material advantages held out to their parents by their reception in this school.

Dr. TRAILL.—I would suggest that the proper way to prove this charge is to produce the evidence. It is rather a curious thing to try and prove a thing against a man out of his own mouth.

Canon Gregg.—I have no objection to state my rule in the receiving of children, and to hand in a list of the children in the school.

274. Lord Justice FRYGROVE.—The ordinary course is to answer any questions on cross-examination that Mr. Doyle may ask you, he can then give any evidence he has, and you can reply to it.

Canon Gregg.—I think the evidence should come first.

275. Lord Justice NASEM.—They have a right to cross-examine.

Canon Gregg.—This is a charge made that has not any evidence put forward yet to substantiate it.

276. Mr. DOYLE.—This is one of the grounds of objection.

Dr. TRAILL.—Have you got evidence?

Mr. DOYLE.—You will see from the nature of things that it must necessarily be very hard to produce any specific cases, because if there is truth in our contention, the individual people concerned will not be the people to come forward, and give evidence.

Lord Justice FRYGROVE.—We will take the ordinary course. Canon Gregg was sworn as a witness at the court sitting, he has now given evidence on one branch of the case, and he is open to be cross-

examined by you on another; in addition to that it is open to you to give evidence, if you are not satisfied with Canon Gregg's explanation.

[Oct. 27, 1886.]

Rev. Canon J. F. Gregg.

277. Mr. DOYLE.—First, I would ask him whether there are, or have been in this school children of Catholic parents?

Canon Gregg.—My answer is—the rule on receiving each child is that one parent must be a Protestant, and that parent must be the legal guardian. I take the application coming from the legal guardian representing the Protestant parent, and I have nothing to do with anything else in receiving a child.

278. Then I take it to be a hard and fast rule, which is not departed from, that at least one of the parents must be a Protestant?—Yes.

279. Would that include the case of a child, one of whose parents was dead, that parent having been a Protestant; that is, a child whose only living parent was a Catholic?—I am not aware of any such case.

280. You are not aware of any such case arising during your management?—No.

281. Under the rules what is the principle applying to such a case. Suppose a Catholic parent was living, having children, and the parent who had died was a Protestant, would your rules allow you to receive children so circumstanced into your school?—I am not aware of any such case ever coming, except a friend of the child applied on behalf of the parent that died.

282. What would occur in a case where the two parents were alive, and were Catholic, but a Protestant friend applied to have their child admitted into the school?—I received no such child into the school to my knowledge. I might have been deceived.

283. Then I take you to say that you make inquiries with regard to the condition of these children?—I do.

284. And careful inquiries, I presume?—I do.

285. One necessary condition of admission, I believe, is that all must be educated Protestants?—Yes. They come in as Protestants, being put in because of one parent being a Protestant. I do not ask the question whether the parent is dead or alive if the party puts in the child because the parent was a Protestant. I think that is legitimate ground for taking in a child.

286. Do you take any trouble to inquire whether, previous to entering your school, the child was a Catholic or Protestant?—I have nothing to do with that. The legal guardian is the person who comes to me, and asks admission, and I make inquiries as far as I can. For instance, there was a statement made in the newspapers about one child while I was in Kilkee, and I wrote to Cork to the Rector of St. Luke's to know was the statement of this woman correct. I got back an answer that it was not, and I refused to receive the child.

287. When a child enters your school, do you receive any guarantee as to the time it should be left there?—No, except it is put in to be educated. I have the forms here. They are all written out.

288. Then it is agreed that a child who has previously been a Catholic becomes a Protestant simultaneously with entering your school?—I said before the child comes in as a Protestant, put in by the representative on behalf of Protestant parents. The legal guardian is the party who is accountable.

289. Is it within your knowledge that a child who has previously attended Catholic places of worship, and has been a Catholic, has, after entering your school, become a Protestant?—In the case of mixed marriages. These are, after all, the real cases that come before me.

290. Lord Justice NASEM.—Is the school intended for the children of mixed marriages, or do you take in children both whose parents are Protestants?—Yes, because it is necessary to protect them in this city.

Oct. 26, 1897.
Rev. Canon
J. T. Gregg.

291. Rev. Dr. MOLLOY.—At present how many children have you both whose parents are Protestants, and how many who are the children of mixed marriages?—Here is the list.

292. Dr. TRAILL.—I suppose in the case of mixed marriages you think you have a claim to one-half of each child?—Yes; the other side do the same. I had five children at one time whose father was a Protestant, and when he died they were taken into Mount St. Vincent school.

Dr. TRAILL.—They are fair game for both sides.

293. Lord Justice FITZGERALD.—How is the return. In the senior school?—Resident, both parents Protestant, 10; one parent Protestant, 10. In the junior school?—Both parents Protestant, 14; one parent Protestant, 7; making 41 in all. Day Children.—Senior school?—Both parents Protestant, 13; one parent Protestant, 2. Junior school?—Both parents Protestant, 18; one parent Protestant, 5. That makes a total altogether of 79, of whom 24 have one parent Protestant, and the remaining 55 have both parents Protestants.

Bishop O'Dwyer.—What we want to get at is how many of the 79 were Catholic children up to the day they were put into that school.

294. Lord Justice FITZGERALD.—Are there any of those children, and if so, how many, who up to the time they entered with you as Protestants had been Catholics in their education?

Canon Gregg.—Because it was a mixed marriage case.

295. Lord Justice NANGLE.—Do you get a baptismal certificate with the children?—No, I do not. I never baptise any child.

296. Rev. Dr. MOLLOY.—I find an answer in one of your forms.

"Q. No. 3.—Are they intelligent; have they attended school? A. Yes; the men's school."

These were children that came from the men's school?—They were all Protestants, and they were afterwards taken from my school, and the father, and the mother, and the whole family became Catholics. The Rector of the parish said if these children remained attending the men's school they would all be lost, and he brought two of the children in himself. One remained a year. The father came up, and took the two children away, and the whole of them are now Roman Catholics. They were Protestants, every one of them.

297. In what sense do you say they were Protestants, when they came from the men's school?—They went to the National school. They had no other school in Newmarket West. They were Protestants going to the men's school.

Dr. TRAILL.—That is a case of proselytising the other way.

298. Lord Justice FITZGERALD.—Can you tell me how many children there are in the school who had been attending worship, or attending school, as Roman Catholics before they came to you?—The children were so young they could not be attending. Here is a case of one that is well known.—

"April 9th, 1887.

"Rev. Sir.—My wife having died lately, I am unable from having to be at work all day to give the care to my four young children which they require, and as they have no one in my house to see after them, I would thank you to receive them into your school, to be entirely in your charge, and so be brought up in the Protestant faith, which I myself belong to. In case of your receiving them I will gladly contribute as soon as I can towards their support in the school, and I agree to receive them back from you at any time you may wish me to do so."

That is signed by the father of the children.

299. What we want to get at, how many of the seventy-nine children who are now in the school had been under religious instruction as Roman Catholics before they came to you?—I could not tell you that. Here is the father, it was a mixed marriage case,

the mother had been a Roman Catholic, he is a member of my congregation, and he asked me to take these four children. They were put into our school. They were Roman Catholic children before, but he is the legal guardian. He is a Protestant, and wished them to be brought up as Protestants.

300. Dr. TRAILL.—Are you charged with proselytising in that case?

Bishop O'Dwyer.—We are asking one question and we cannot get an answer. How many of these children were Catholics up to the time they entered that school?—I could not tell you.

301. Lord Justice FITZGERALD.—Surely the teachers in the school could tell how many of the children had been attending Roman Catholic instruction before they came to you?—I could not tell that. They came to me at that case then. These children were actually Roman Catholics before the death of their mother. The father is a member of my congregation, and requested me to take these four children.

302. Dr. TRAILL.—Would your lordship consider that a case of proselytising?

Bishop O'Dwyer.—I don't want to be led astray on any side issue. How many children were Roman Catholics up to the day they went there?

303. Dr. TRAILL.—He says he cannot answer that.

Witness.—Here is a list of all the children in the school.

304. Mr. Doyle.—Have you purposely obtained from inquiring into the previous religion of children in your school?—It is not a question for me, the legal guardian comes to me, and he has power over the children, and no one else.

305. Have you then obtained from inquiring into the previous religion of the children?—That question I never ask, I take the guardian's proposal.

306. We say take it then that you have obtained from inquiring into the previous religion of children who come to your establishment?—There is no need of my making any inquiries when the legal guardian comes.

307. Have you done so?—No. I only take the legal guardian's proposal, and accept it.

308. All I want is "yes" or "no." Have you obtained from inquiring into the previous religion of children brought to your school?—They don't come up to me in that way.

309. Mr. Doyle.—My lord justice, may I ask you to put the question which I have several times put and Canon Gregg has not answered?—Has he or has he not obtained from asking the religion of the children?

310. Lord Justice FITZGERALD.—I gather that he has. If the legal guardian, who is a Protestant, brings the child he takes the child into the school. And it is perfectly obvious from the circumstances under which that sometimes happens, namely, where there is a mixed marriage and the Roman Catholic parent dies, the other parent brings the children into the school.

311. Bishop O'Dwyer.—Has he inquired into the religion of the guardian who presented the child for admission?

Canon Gregg.—Yes, I always do. I take the guardian's bringing the child, and saying he is a Protestant, as my guarantee for taking in those children. In that very case the man was a Protestant originally, and when he married he became a Roman Catholic, when his wife died he wished me to take his children under my charge, as he could not look after them.

312. Rev. Dr. MOLLOY.—We understand that case. The Bishop's question is, when the legal guardian comes to you with a child do you ascertain in all cases what is the religious denomination of the legal guardian?—Yes.

313. And have you ever received children from a legal guardian who was a Catholic?—No, not to my knowledge.

314. If you always inquire into the religion of

the legal guardian you must know in each case what his religion is?—Yes, I do.

315. And can you say that in no case you have received a child into your institution from a legal guardian who was a Catholic?—Not to my knowledge.

316. Dr. TRAILL.—You may have been deceived, I suppose, you mean?—I may, but I will give you a case in which a mother was a Protestant, her own mother, sister, and brother were members of my congregation. This daughter married a Roman Catholic and became a Roman Catholic; nevertheless she sent her children to my school of her own accord, although she was a nominal Roman Catholic. Then when that husband died she married another Roman Catholic, and not very long ago she came to me to know would I take her children in, and she spoke to me as a Protestant. She asked me for a bible, which I gave her. She asked me to take her children in. I said, "You are not the legal guardian, and I cannot take your children in." And she then produced a letter from the legal guardian giving his assent, but nevertheless I did not take the children in.

317. Who was the legal guardian in that case?—The second husband.

318. The step-father?—No, he was the father. I did not take them in.

319. Bishop O'Dwyer.—Since Canon Gregg got possession of the Redford-road School, has he taken a child into that from a Catholic parent?

Canon Gregg.—Not to reside in it.

320. Lord Justice NAUGHTON.—As a day pupil?—In this case I said to this woman, "This is a parochial school, and it is a Protestant school, I cannot take your child in, when the legal guardian does not bring her." I said, "If you like you can send the child to the day school." I never saw the child, and never spoke to the child. The child came for two or three days and went away.

321. Lord Justice FRYGEMAN.—Have you any boarder, or had you at any time any boarder in the school, who came from a Roman Catholic parent?—No.

322. As far as you know, have you in the day school any pupil sent to you by a Roman Catholic parent?—No one, except that one case where the woman was a Protestant, and all belonging to her Protestants. That is the only case I can recollect.

323. Mr. Doyle.—How do you satisfy yourself with regard to the legal status of the persons who present the children to you?—Supposing a Roman Catholic woman said her husband was a Protestant, and the child was a Protestant, I would take that child in.

324. On the Roman Catholic parent's statement?—That the father was a Protestant.

325. The Roman Catholic parent then bringing the child to your establishment, you would take it from her?—On his statement that the father was a Protestant.

326. And without any communication with the Protestant father?—The father was dead.

327. In the case of a living father?—No; I would not.

328. Is education in your establishment always combined with support and maintenance?—For the residents. Not in the case of the day pupils.

329. Do the day pupils receive any benefit besides education?—At Christmas they might get clothing.

330. Does that apply to every case?—No.

331. If a child is brought to your school, is there anything else got by the child, or by the parents of that child, but education?—No, except that at Christmas, in the distribution of clothing, they might get a share.

332. You alluded just now to the case of a rector. You said he brought children to the school?—He went to their house, they were his parishioners. The father and mother consented to sending them in. They did not arrive at the train, and he went to the house, and the children came with him.

333. Therefore you would take a child from a per-

son who is not and does not represent himself to be the legal guardian, but who says he has the consent of the legal guardian?—The paper there was signed by the legal guardian.

334. I am not asking about that particular case?—The rule is distinct that the parent who is the legal guardian must apply first, and he may apply through the clergyman, as he did in this case.

335. Dr. TRAILL.—But he must do it in writing?—Yes.

336. And in this case brought up by Mr. Doyle both parents were Protestants?—Yes, and all the children, and I accepted them because he spoke of the danger they were in.

337. You don't mean to say they were trying to proselytise Protestant children?—He said if I did not take them in the whole family would be lost.

338. Lost to Protestantism?—Lost to me.

339. Mr. Doyle.—That includes the parents?—The parents went over.

340. And you brought in the children?—No. When the children were brought in the parents were Protestants; then the father came up, and took the child that remained in the school back, and he and his wife and children turned over.

341. Under what circumstances did they come back?—They did not come back.

342. Dr. TRAILL.—There seems to be a great deal of the pot calling the kettle black about this matter.

Witness.—The rule is very simple. No child is received without the paper or authority of the legal guardian. The whole thing arises because it is a mixed marriage case.

Mr. Doyle.—There is no Catholic establishment that holds out religious creed as a condition of the enjoyment of material benefit.

Dr. TRAILL.—I thought all Roman Catholics were proselytisers as much as Protestants in the case of mixed marriages.

343. Mr. Doyle.—Have you ever known a case in which the parent of a child that has previously been a Catholic has changed his or her religion at the same time that the child entered your school?

Canon Gregg.—Not to my knowledge. I never heard of such a case. I could state a great number of other cases, if necessary. A whole family were in my school, and the father a Protestant, and, as far as I understood, the mother was a Protestant. He put them into my school. They were in it. They were all taken away to Clons, and every one of them became Roman Catholics. There are several other cases. There were five children named Graydon on the Protestant Orphan list, and they were all taken. Two of the girls were put into Mount Vincent School, and the three boys were kept by Dr. O'Shaughnessy.

344. Dr. TRAILL.—You don't mean to say Dr. O'Shaughnessy is a proselytiser?—He took the children.

345. Dr. O'Shaughnessy.—I have had an enormous number of children flying from Dr. Gregg's school, but not a single child of that name.

Witness.—There was another case of a Protestant child taken by Dr. O'Shaughnessy, and at the Court that child was committed to Mount Vincent School as a Roman Catholic by the Bench and put in there. I had to apply to the Chief Secretary and got that child out and delivered up, and placed in my school. That child was taken again, and put into Mount Vincent for five years, and the mother, who was a Protestant, came to me, and I got that child out again.

346. Dr. O'Shaughnessy.—Give the name.

Witness.—Fanny Brosin.

347. Dr. O'Shaughnessy.—That woman was a Catholic. I never put touched one of these cases of an Industrial School, except where they were brought up Catholics, baptised Catholics.

Lord Justice FRYGEMAN.—In this particular case he says the child was made the subject of legal proceedings, and an application was taken out.

ONE, 20, 1889,
 Rev. Canon
 J. F. Gregg.

548. *Dr. O'Donoghue*.—So it might, for they are exceedingly cautious, very properly, under this Industrial School Act, that there shall not be a Catholic in a Protestant school, or a Protestant in a Catholic school. But our whole city is in a state of demoralisation owing to this Gregg school. Women will wear one thing to-day and another thing to-morrow, and if I got time, or got permission, I will be able to show that in every single case that we had to do with, they were legitimately Catholics. I am in a position to prove that in no case can proselytising be traced to us in any shape or form, either in the Society of St. Vincent de Paul, or in the Industrial Schools. I would not take a wrong case before a magistrate in Limerick for an Industrial School. I value the school too highly, I value its benefits both to Protestants and Catholics, to dare to do an illegal act, except it was done under a misapprehension. I don't want to take a Protestant child in Limerick when I have thousands of Catholic children going about the streets harassed; and it shows a weak case on the part of Canon Gregg who cannot answer the questions put to him here, when he dares in my name. I trust the law will give me an opportunity in vindication of myself, for I esteem my Protestant fellow-citizens. The Protestants of Limerick as a body repudiate the Gregg school.

Canon Gregg.—Mr. Benchamp was the person who drew up the affidavit from the father and mother to get that child out.

549. *Rev. Dr. Molloy*.—The only question before us is whether what is called proselytising is carried on in your school—I deny that, I take the mixed marriage cases and no other.

Bishop O'Dwyer.—Since the thing began I have been asking one question, and I have not yet got the answer, and I think we have a right to get the answer. How many children have been in that school since Canon Gregg got possession of it who were Catholics up to the day they entered it?

550. *Lord Justice Fitzgerald*.—He says he cannot tell, but I gather that there have been a considerable number, who had been Roman Catholics, and were under Roman Catholic instruction before he took them into his school. His explanation is that they were children who, legally speaking, should have been brought up Protestants, or who were brought to him by people who had a lawful title to say that they were to be brought up Protestants.

Bishop O'Dwyer.—Does Canon Gregg undertake to swear that every person who gave him charge of such a child was a Protestant?

551. *Lord Justice Fitzgerald*.—Can you answer that? How have you satisfied yourself that each person bringing you a child for education in your school was a Protestant?

Canon Gregg.—As far as I could I always inquired, but I told you, supposing the two parents have died and a friend brings the child to me and tells me, I take that statement, knowing the person to be respectable and a Protestant.

552. *Take what statement?*—As to that child being properly presented to me to be brought up in our school.

553. *What Bishop O'Dwyer wants to know is whether the person who brings you that child is always a Protestant?*—Not always a Protestant, because a case occurred where the mother of the child brought a child, because the father was a Protestant, the mother herself being a Roman Catholic.

554. *Bishop O'Dwyer*.—Canon Gregg stated in answer to Mr. Doyle the very reverse, and stated he had no recollection of any such case ever occurring. We have it admitted that you have numbers of Catholics there who are now Protestants!

Canon Gregg.—No, I don't admit it.

555. *Lord Justice Fitzgerald*.—What is the greatest age at which you admit children?—They generally come in at eight or nine, some come in at three or four.

556. *What is the usual age for children to be admitted?*—There is no particular age; generally we don't take any so after eleven.

557. *Supposing a child to have been brought up by her father as a Roman Catholic until she was eleven years of age, and that the father died, the mother being a Protestant, would you take the child from the mother and educate her at a Protestant, she having been educated as a Roman Catholic up to the age of eleven?*—I don't see any objection; but I don't know that I took any such case to my knowledge. The legal guardian is my authority, and she being the representative and responsible person over this child, is quite authority enough for me.

Bishop O'Dwyer.—The conductor of this school who has the books of it won't tell us how many children there are there who were Catholics before he got them. I think the Commission ought to compel an answer to it.

Lord Justice Fitzgerald.—We cannot compel an answer, and for our present purposes, numbers are immaterial.

558. *Rev. Dr. Molloy*.—I understand you to say, Canon Gregg, that the fact of their being Catholics up to the day they were brought to you, would be an impediment to their being received?—Not if the legal guardian brings them.

559. *And you carefully abstain from inquiring into the question, so that so far as you know, the large majority might be Catholics?*—They are the children of mixed marriages. I even make it a rule that they must take them back if I don't keep them. They are at liberty to walk out any moment they like.

560. *(To Mr. Doyle)*.—Your objection is against Canon Gregg getting a scheme for his school on the ground that the school is used for the purpose of proselytising, or is generally believed in Limerick to be used for this purpose; and you say it is not desirable such an institution should get a scheme from our Commission.

Mr. Doyle.—Yes.

561. *Rev. Dr. Molloy*.—Can you give us evidence that there is such an opinion prevailing in Limerick?

Mr. Doyle.—I can give you evidence that there is a universal opinion.

562. *Dr. Traill*.—Could you give evidence of facts?

Lord Justice NAUGHTON.—I doubt you could give evidence of universal opinion, but it is quite clear that there is such a feeling.

563. *Bishop O'Dwyer*.—Ask Dean Banbury does he subscribe to that place or approve of it.

Dean Banbury.—Dean Banbury would rather not answer any questions on the subject.

564. *Lord Justice Fitzgerald*.—I don't think that is fair question; we are not trying the school by public opinion. It would be unfair to one clergyman to ask his opinion of another clergyman of his own church.

Bishop O'Dwyer.—Are there any illegitimate children in the school?

Canon Gregg.—There are three children I am certain of, and one doubtful.

565. *Lord Justice Fitzgerald*.—On whose authority were they admitted?—In the first case on the mother's; she was a Protestant. In the next case on the uncle's, the father was a Protestant and he died.

566. *Dr. Traill*.—Who did you consider the legal guardian?—The mother in the first case, and the father in the second case. In the third case the grandmother gave the child, but I cannot tell whether the child was illegitimate or not. The grandmother was a Protestant.

567. *Bishop O'Dwyer*.—Does Dean Banbury or Archbishop Hamilton subscribe to the school?—I don't consider a question like that should be put to me.

568. *Rev. Dr. Molloy*.—Do you publish a list of your subscribers?—Yes.

369. Could we see the list?—I have not it here. Now I want to show the necessity of this school. I have only given some cases. I could give a long list of cases where I have lost children in my school as Protestants. To show you the need of having a school like ours, we have to be on our watch continually. One child, who was baptised at the Cathedral, and was in my charge, was stolen. Mr. Beauchamp and I went to look for her, but we could not trace what had become of the child. When a charge like this is brought forward, I think I have a right to show that the other side are far and away more active than I am.

370. Dr. TRAILL (to Bishop O'Dwyer).—Your lordship does not know about that case, I suppose!

Bishop O'Dwyer.—I don't understand your saying so the question.

371. Dr. TRAILL.—He has just given evidence—you did not hear it.

Bishop O'Dwyer.—What has that to say to me!

372. Dr. TRAILL.—He says the child was baptised in the Cathedral.

Bishop O'Dwyer.—What Cathedral!

373. Dr. TRAILL.—In the Protestant Cathedral, and was stolen away from him, and he charges the opposite side with carrying it away from him.

Bishop O'Dwyer.—I want to know what is the imputation conveyed in your question!

374. Dr. TRAILL.—To show that there is proselytising on both sides.

Bishop O'Dwyer.—But I don't admit that, and I don't understand your object in putting such a question to me.

Dr. TRAILL.—Well, I am sorry if I annoyed your lordship.

375. Lord Justice FRANKENSON.—The question whether we ought to settle a scheme for any school or not is very much one of discretion, and there is always the resource open which was put forward to-day in reference to other places also, that we can leave things as they are, very frequently doing less mischief than by making alterations. I think we understand the charge. Dr. Gregg seems to be doing very active educational work among the children of mixed marriages, and he seems to take them in, irrespective of what education they have got up to the time at which he takes them. It may be that the other side do the same, but we are not investigating any charge against him at present, because no scheme is asked for in respect of any school in which such things occur, if they do occur. We can understand a conscientious clergyman thinking, rightly very often, that he has a right to interfere. Each case turns upon the circumstances, the age of the child, the position of the parents, and other things which we cannot determine. The question for us is whether we should use the powers of our Act to give this school a greater hold on the public interest in the buildings than it has already. I see Mr. Beauchamp is helping Mr. Gregg, and I should be glad if he will give us assistance necessary to do full justice in the case. We want to get from Canon Gregg, in writing, certified by himself, a statement as nearly as he can go, of his expenditure on the Roxboro' Road premises. He told the old Commission of a very definite sum £2449 odd, spent up to a certain date, and there has been a good deal of expenditure since. There has been against that expenditure the £20 rent, and the expenditure of the rent on the premises does not seem to us to give any claim either to be relieved from the rent, or to have the place treated as being maintained at the tenants' expense. We would like very much to have a detailed statement of the expenditure on the place from the time Canon Gregg went into it, showing the dates.

Bishop O'Dwyer.—Distinguishing between current and permanent improvements.

376. Lord Justice FRANKENSON.—Showing what it was for. We want the dates, because there may be a

difference between what was spent before the letting and afterwards. I don't go so far at present as Dr. O'Dwyer in thinking Canon Gregg can have no claim for expenditure before the agreement, because beyond all doubt the Commissioners knew he was there. I won't now express a definite opinion on the matter, but we want the details, and we will consider the whole matter and see what provision we can partly make. The amount of the expenditure would probably represent the outside measure of Canon Gregg's claim; and, speaking for myself, I should have to consider very carefully again to see how far we can use the powers of the Act for the purpose of altering the tenure from what it is at present, or doing more than finding out how much there has been actually spent on the place, and how much of the building that is there now is a piece of property representing private expenditure, for to that extent it is not a public endowment.

Bishop O'Dwyer.—I would wish to call your attention to a consideration that I think ought to weigh largely with you in dealing with it, and that is the universal opinion of all Limerick against this school being maintained for its present purpose.

377. Lord Justice FRANKENSON.—I would venture to suggest that it would be better not to get into a further discussion. We will consider carefully how far we ought to use any powers we possess with regard to a place as to which there is a strong feeling, just or unjust. We have heard the evidence on both sides as regards the charge; there is a very strong feeling on both sides, and Dr. Gregg has been strongly expressing his views against the injustice of the charge. But we have no power to settle the truth of the dispute.

Bishop O'Dwyer.—In its bearing upon the other endowments I am anxious to press my view that that school ought to be made a classical school for the Protestants, and I wish to say on the part of the Catholics of Limerick, that we will waive any claim whatsoever to any share to which we may be entitled. We will do everything we can in the dividing of the other endowments, to facilitate the setting up of a good classical school there, and we will have no objection to paying Canon Gregg, out of any fund you have at your disposal, full compensation for any salary he has made there. When the Catholics of Limerick are anxious to go to that length for peace, there ought to be influence brought to bear to settle things. I think the fact that the school is wanted for its original purpose, and that there are funds available for that purpose, ought to lead you to restore it to that purpose.

378. Canon Gregg.—That school was established for a great number of years, but it never succeeded from the position that it is in, nor is there accommodation. I myself have had to limit our residents because we have not accommodation. We used to have over 100 children. The doctor said it was unwholesome to have so many children in the rooms, and we had to diminish our numbers. It is no fit place, either in situation or accommodation, for a classical school.

379. Rev. Mr. Bazemdale.—The school is entirely out of the way, and we in every way repudiate setting up an educational establishment there. It failed in the past, and it will fail in the future.

380. Lord Justice FRANKENSON.—We saw the place. Rev. Mr. Bazemdale.—That ought of necessity to be a Diocesan School, belonging to the Protestant Episcopal Church. It would be no use to us.

Lord Justice FRANKENSON.—There is no Diocesan foundation left.

Professor DOUGHERTY.—And if there were it would not be Protestant Episcopalians.

Rev. W. J. Clarke.—My idea is that the charge brought against Canon Gregg of having a proselytising school has completely and utterly failed.

Lord Justice FRANKENSON.—We have heard the evidence, and we see what it rests on.

381. Rev. Mr. O'Brien.—Bishop O'Dwyer has said

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there is a universal feeling in Limerick against this school. If the feeling is universal, how is it that money is subscribed year after year by inhabitants of Limerick and persons who live outside it. I had a strong feeling against what was described as a proselytizing institution. I inquired into the matter, and saw it was not a proselytizing institution, and I therefore subscribed, and there are plenty of people in a similar position.

382. *Dean Bunsbury*.—From the evidence I have heard today and before, I never looked upon it as a proselytizing institution. I certainly did not take much interest in it, and I did not subscribe. I tell

you candidly that I think both sides, Protestants and Roman Catholics, are very desirous of looking after mixed marriages, and they look upon the children of mixed marriages as fair game. I think it is a common sense view of it, and I really do not think that this institution of Canon Gregg's is such a terrible thing after all. I think my friends the Roman Catholics are quite justified in exerting themselves in the same direction. I think it necessary to say that, because the Bishop appeared to think I was dead against it.

Lord Justice Fitzgerald.—We must consider all that we have heard for the last two days, and try to make something.

LIMERICK MODEL SCHOOL.

ANTHONY FOKE, Principal Teacher, examined.

Anthony Foke.

383. Lord Justice FITZGERSON.—We want to get the numbers in the Model School and the accommodation. The total number on the roll at present is 238.

384. How many have you accommodation for?—In the three departments about 550.

385. How long have you been there?—Since 24th February, 1886.

386. Is the number as large now as at any time since you came?—It is considerably larger than when I came. The average when I came in the boy's department was only 55. At present it is 75.

387. Are there three schools?—There are three.

388. There is a principal teacher in each of the

three?—There is no principal teacher in the infant department at present. It is vacant. There is an assistant in the infant department, but none in the others.

389. What are the religious denominations of the teachers?—Two are Roman Catholic and one Established Church. I am a Roman Catholic, and the head of the infant school is Established Church, and the assistant Roman Catholic.

390. What class attend the Model School?—All middle-class Protestants.

The sitting concluded.

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PUBLIC SITTING—THURSDAY, APRIL 10, 1890.

At the Office, 25, Nassau-street, Dublin.

Present:—The Right Hon. Lord Justice FITZGERSON and the Hon. Mr. Justice O'BRIEN, Judicial Commissioners; and the Rev. GERALD MOLLOY, D.D., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, LL.D., and the Assistant Secretary, N. D. MURPHY, were in attendance.

THE CHARLTON CHARITY.

Lord Justice Fitzgerald made an introductory statement.

391. Mr. Gervais, Secretary to Commissioners of Charitable Donations and Bequests.—The Charlton property is in Chancery under a receiver or agent. At one time it was contemplated to put it under our board, but the late Lord Chief Justice May, when the

scheme went before him as Attorney-General, raised a point that it could not be diverted from the Court of Chancery, so it was retained there. Mr. Maxwell, our solicitor, will give evidence as to how the Charity has been practically worked.

Mr. J. M. Maxwell.

Mr. J. M. MAXWELL sworn and examined.

392. Lord Justice FITZGERSON.—You are solicitor to the Board of Charitable Donations and Bequests?—My father is. I represent him. He is not able to come here today.

393. What part has your firm taken in the management of the Charlton property?—The receiver every year advertises for applicants for portions from the Charity. When the claims are sent in we investigate them, and work up any evidence that we think necessary in doubtful cases. Then we bring the matter before the Lord Chancellor's Chief Clerk. He holds a sitting at which the receiver attends, and also Mr. O'Hagan, as solicitor, representing the trustees of the fund.

394. Of what does the property consist?—I hand in the receiver's account. After all deductions, the net income is about £650 a year, including £251, the income of some £8,500 consols in Court.

395. I see in the last account that £130 was due on a rental of £810. Practically there is now half a year's arrears?—Yes.

396. Then there is about £800 from lands, and £350 from money, gross income?—Yes.

397. There are some outgoings, £80 head rent, £13 tithe rentcharge, and £5 quit rent. The miscellaneous payments are considerable—costs, £25; coals, £6; ex-

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Mr. J. M. Maxwell.

pass for the distribution of the fund, advertisements and miscellaneous costs of receiver, £29 1.—The receiver in addition gets a salary of £100 a year.

328. Is he paid a salary and poundage, or salary only?—Salary only.

329. Mr. William Bond is the present receiver?—Yes.

400. Are the rents all secured?—Yes, all but one are secured local rents.

401. How did the sum of consols accumulate?—It accumulated prior to 1877 when the last scheme was settled. A large surplus was accumulating every year, which was invested by the court, when there was no way of working it off. The scheme of 1877 opened the whole thing to all denominations for the surplus.

402. Mr. Justice O'BRIEN.—Were the Protestants not sufficient to absorb the money at that time?—No, they were not.

403. Dr. TRAILL.—Six guineas was not much of a portion?—By the scheme of 1877 £25 was allowed to Protestant applicants, and the surplus was divided equally among other denominations.

404. The amount given to those dissenters?—It fluctuates very much.

405. About what number of claims do you get in the year?—I can draw out a statement and hand it in to your secretary to-morrow; the claimants for 1889 were 91, of which 58 were allowed. Of those, 22 were dissenters; 44 marriage portions of £25 each, and of those 22 Protestant claimants twelve were allowed.

406. If 58 claims altogether were allowed it would leave 46 claims for other denominations?—Yes; the surplus was divided ratably amongst the 46.

407. Dr. TRAILL.—Could you give the grounds on which 12 claims were allowed, and the others disallowed?—I will make it out. The principal number were disallowed for being over age. The rest for not being labourers' children.

408. Lord Justice FRYGROVE.—Have you had the conduct of any of the cases in which questions have arisen as to the qualification of "day labourer"?—I had. I have managed the whole of this business myself since 1882. We were bound by your lordship's decision on the point, and we did not allow the claims of anybody such as an artisan, or where there was no sufficient evidence that the parent was a day labourer.

409. I think a question arose whether a constable was a day labourer?—Yes. As a matter of fact none but farm labourers are allowed now.

410. Labourers on the railway were admitted?—Yes.

411. Mr. Justice O'BRIEN.—They are chiefly day labourers, I suppose?—Yes.

412. Was the order of 1877 obtained upon the application of the Board of Charitable Donations and Bequests?—Yes.

413. Was there no application by a private individual?—None.

414. It seems extraordinary to order that there should be a portion of £25, instead of six guineas—taking the amount out of the thing—then to extend the scheme to claimants of other denominations out of the surplus without fixing any amount.

415. Rev. Dr. MOLLOY.—What was the lowest sum ever given under this scheme as a marriage portion?—In 1884 it came down to about £2.

416. Mr. Justice O'BRIEN.—Were the people to infamously upon that fortune?—That is so.

417. Lord Justice FRYGROVE.—Under the original scheme of 1855 all the counties adjoining Meath and Longford were brought in?—That is so.

418. Do you still admit claimants from the adjoining counties?—We do.

419. Then no day labourers' children belonging to Meath or Longford would get anything out of the surplus until all the adjacent counties had supplied their full number of £25 claimants?—That is so. It has never run up in Meath and Longford to such num-

bers as to absorb the whole sum. Under the decree of 1856 the claimants from Meath and Longford must be satisfied first. The adjacent counties then came in. Under the decree of 1877, the six guinea portions are increased to £15, and the surplus after that is given to other denominations. Under the old decree of 1856 there is to be a payment of six guineas, but only to people of Meath and Longford.

420. Then under the decree of 1855 the counties adjoining Meath and Longford are all brought in pari passu, but coming after Meath and Longford?—Yes.

421. Under the last decree all the people qualified under either of the two decrees of 1856 and 1855 have their portions raised to £25 each.

422. And no person gets any of the surplus dividend until all these others are satisfied?—Yes; that is so.

423. Seeing that Dublin is one of the counties included, how has it happened that the whole fund has not been carried away by the adjoining counties?—It has never so occurred.

424. Professor DOUGHERTY.—Are the inhabitants of the adjoining counties aware of their rights?—We give notice continually.

425. Have you had applications from Monaghan or Cavan?—Yes; we have had applications from both of them.

Rev. Mr. Keene.—The girls must be from Meath or Longford.

426. Lord Justice FRYGROVE.—The Rev. Mr. Keene is right. The girls must all be from Longford or Meath. I wonder you have not a greater demand for wives from Meath and Longford, if you have made the bachelors from the adjacent counties aware of their privileges.

Mr. Gerson.—I think it ought to be cleared up without a doubt, whether the parties entitled to the six guineas must in fact be Protestants. The present Chief Baron Pollock, when Attorney-General, and the late Lord Chancellor Law, as Solicitor-General, gave an opinion that even the original claimants need not be Protestants, and I have asked Mr. Maxwell if he very clear that in fact they are all Protestants. I am not sure of it, but I think it is a very important portion of the case.

427. Lord Justice FRYGROVE (to Mr. Maxwell).—What evidence of qualification do you call for?—They must send in a certificate, which you will find at the foot of the decree, signed by the clergyman of the parish, and also by the churchwardens when there are churchwardens, that they have been duly married in their presence, and that the parties are the necessary age, and that they are residents of the counties in which they are situated, and all must be certified of their own knowledge. [Reads the form of certificate.]

Dr. TRAILL.—You will not, I think, get Protestant clergy to go to Roman Catholic chapels to perform marriages.

Mr. Justice O'BRIEN.—Originally the ceremony of marriage need not have been performed by the priest, but only in his presence, and that law found its way into the statute.

Mr. Gerson.—It may be that Protestant clergymen have, in fact, attended marriages of Catholics for the purpose of qualifying them for the larger marriage portion of £25.

428. Lord Justice FRYGROVE (to witness).—Is there no evidence required of the creeds of the parties marrying?—None at all.

429. Dr. TRAILL.—How do you account for the fact that there are no more applications for Protestant marriages when the scheme has been extended to so many counties. Is it because there are not daughters to be married in Meath and Longford?—I think every person entitled to the charity sent in claims, but I think they have raised themselves above the qualifications.

430. Lord Justice FRYGROVE.—There does not

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Mr. J. M.
Macneil.

appear to have been created by the charity any great demand for the heads of the daughters of day labourers in Meath and Longford, though emigrants from any adjoining county, say Dublin or Monaghan, by marrying Meath or Longford girls would become entitled to the portions of £25 each?—Yes.

Mr. GERRAN.—Since the scheme of 1877 there was no necessity, so far as I can see, to travel out of Meath or Longford.

430. Lord Justice FRYGIMAN.—The sons and people must come from Meath or Longford?—Yes. Therefore there was no necessity to travel to other parts.

431. Lord Justice FRYGIMAN.—But claimants from adjacent counties for the £25 portions take priority over the surplus claims?

Mr. GERRAN.—I am not sure of that.

432. Lord Justice FRYGIMAN.—It seems to be so under the scheme. As regards the question of day labourers, have you any rules. You spoke of a decision of mine, but I only, as deputy for the Lord Chancellor in one year, ruled two or three particular cases that came before me.

Mr. Macneil.—The question has arisen very often as to what a day labourer is.

433. Mr. Justice O'BRIEN.—If a man were paid weekly wages, would he be accounted a labourer?—I think so unless he was an artisan.

434. Would a working carpenter be considered a labourer?—No.

Mr. Justice O'BRIEN.—If a man says he is a labourer, every person knows he is not a tradesman.

Dr. TRAILL.—A man who attends a blacksmith might be called a day labourer.

435. Rev. Dr. MOLLOY.—Would a skilled labourer have a claim?—No.

436. Only unskilled labourers?—Yes.

437. Professor DOUGHERTY.—Under the decision of the Lord Justice you took it that they should be agricultural labourers exclusively?—Yes.

Lord Justice FRYGIMAN.—I certainly never laid down that rule—a hodman may be a day labourer.

438. Mr. Justice O'BRIEN.—It is not apparent that there is any skilled labour in the counties of Meath and Longford?—Some peculiar cases arise every year. One arose last year in which the man was the son of a retired sergeant of Hussars. He still drew his pension from the army, but worked as a domestic day labourer in the country, and the question cropped up, was his son entitled under the scheme.

439. Was the son working as a day labourer?—Not at the time. The son might be anything.

440. Lord Justice FRYGIMAN.—There is no restriction on the avocations of the parties, but only of their parents?—That is so.

441. What is the position in life generally of the parties who establish their claims. Are they all day labourers themselves?—I cannot answer that. We have had a great many cases of persons who had gone away. Some were working in Glasgow. We never inquired what the children were themselves.

442. Then supposing a day labourer to have had a son and died, if the son became a shopkeeper, or tradesman, you do not ascertain what he is?—We don't ascertain what he is.

443. Similarly, I suppose with regard to the women?—Yes, we do not know the position in life of the people who marry. We only receive the applications sent up by the receiver, but several people about the country can give evidence on these points if asked.

444. Dr. TRAILL.—Is it the receiver who collects the applications first?—Yes, he advertises.

445. He takes the place of the Clerk at the salary of £100 under the will?—Yes.

446. Rev. Dr. MOLLOY.—In 1889 the amount that went to the £25 portions was £300, and the total

amount of smaller portions about £7 15s. each, was £350 or thereabouts?—I think so.

447. It appears that in that year the total income was about equally divided between the larger and smaller portions?—Yes.

448. Is that what generally occurs?—In 1888 twenty-three applied for £25 portions, and only nine were admitted, and there were 72 who divided surplus, in round numbers £600, that year.

449. Could you tell what was the largest sum paid as a marriage portion, out of the surplus?—Say within the last four or five years?—I cannot tell that off-hand.

Rev. Mr. KERR.—About £17 10s.

450. Lord Justice FRYGIMAN.—Then, whether it is to be £17 10s. or £2 the people cannot know until after they are married?—No, not until after the £25 claims have been allocated.

451. Rev. Dr. MOLLOY.—They must be married before they are qualified, so that they get married on chance of getting the money?

452. Mr. Justice O'BRIEN.—It might happen that some of the parties would get married under a mistake, and the claim be put in under a misapprehension?—That is so.

453. Lord Justice FRYGIMAN.—And the original intention of the testator that a fixed sum should be given has been entirely departed from as regards the surplus?—Entirely.

454. The number of claimants is fluctuating, and so is the amount to be distributed?—Yes.

Mr. GERRAN.—The difference between the Roger Palmer Charity and the Charlton Charity is that the girls in the former case know what they are to get, and the number each year is limited to five.

455. Lord Justice FRYGIMAN.—Similarly the £25 people in Meath and Longford know what they are going to get.

Mr. GERRAN.—Yes, but not with the same certainty.

456. Lord Justice FRYGIMAN (to Mr. GERRAN).—You have never been any year, since the scheme was in operation, without some surplus?—No, we have not.

457. Is the income from the £8,500 consols treated as liable to the first charge for the £25 portions?—Yes; as part of the general estate.

458. Mr. Justice O'BRIEN.—Was it under the scheme that the receiver was appointed Clerk at a salary of £100 a year. An ordinary receiver is paid a percentage, but does this gentleman receive £100 a year for simply collecting the applications?—I don't know. The receiver is here.

459. Lord Justice FRYGIMAN.—We will not detain you now, but we should be obliged if you will send us the last three receiver's accounts, and the last three lists of claimants, with the rulings on the claims?—I will do so.

460. Have you any list showing the age, employment, etc.?—I can show that here. (Document produced.)

461. Dr. TRAILL.—Here is one case—"a man, son of a curman, refused." Then, "refused—father of man a head." Would a head not be regarded as a day labourer?—I cannot say.

Dr. TRAILL.—Here is another case—"the father of both man and woman, heads—refused."

462. Mr. Justice O'BRIEN.—Is it ruled that though the man's father is dead the son would be looked upon as a day labourer?—Yes.

463. If the man came into town and became a shopkeeper and was prosperous, would he be entitled?—I think so, if he was within the limits of age, and that he married a girl from Meath or Longford.

464. Lord Justice FRYGIMAN.—Here is another case—"father of man a horse trainer, refused."

465. Dr. TRAILL.—And one in the £25 list, girl's father a servant—refused."

Mr. William Bond sworn and examined.

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William Bond.

446. Lord Justice Fitzgerald.—How long have you been receiver over the Charlton estate?—Since 1877.

447. What does the property consist of?—Of lands in Longford and Meath—I only receive bond rents, except from one occupying tenant in Meath.

448. What is this rent?—£133 a year. The others are bond rents.

449. I see in the county Longford property, £568 14s. 10d. is payable from one holding?—Yes.

470. You receive the rent from the representatives of Patrick Edward Murphy?—Yes.

471. Do you know his interest?—I do not.

472. Is it a well secured rent?—Yes.

473. Then the representatives of William Young, pay £52 10s. 5d., also head rent?—Yes.

474. Patrick Smith is the occupying tenant?—Yes.

475. What interest has he? Is he a yearly tenant?—No, he has a lease.

476. Has he had a fair rent fixed?—He pays the rent in the lease still.

477. Then John E. Charlton pays £37 18s. 6d.?—Yes.

478. You have but four rents, amounting in all to £510 3s. 9d. a year?—Yes.

479. And on the last account, £405 3s. 1d., half a year's rent, was due?—Yes.

480. Then substantially you have no arrears?—There are no arrears except for the half year.

481. Do you draw the dividends on the stock?—Yes.

482. Rev. Dr. Molloy.—What is the amount of the consols?—I could not tell. I know the interest. In 1886, it was £330 4s. 9d.; in 1887, £349 14s.; in 1888, £350 4s. 9d.; and in 1889, £351 6s. 5d.

483. Lord Justice Fitzgerald.—Then you have been investing money?—It was invested before 1877.

484. Rev. Dr. Molloy.—Did you lose anything by the reduction in the rate of interest?—No.

485. Mr. Goshen's measure did not affect you apparently?—It has not.

486. Dr. TRAILL.—Have you closed the account up till November, 1889?—Yes.

487. Lord Justice Fitzgerald.—And you got £251 6s. 5d. from the Accountant-General last year?—Yes.

488. Is the money in Chancery?—It is.

489. Mr. Justice O'BRIEN.—Were you appointed receiver by the Court of Chancery in 1877?—Yes.

490. This position of "Clerk" was incorporated apparently with your position as receiver?—Yes, but that was before my time.

491. Lord Justice Fitzgerald.—Besides the ordinary duties of receiver, which appear in your case to be easy, I believe you do work also, as regards the management of the charity and the publication of advertisements?—Yes, and distributing forms.

492. Do the applicants come to you personally, or do they write to you?—Some come to me personally in Longford and the Meath people write to me.

493. Do you send the forms to any one who asks for them?—Yes, to any one who asks. In the cases regarding the surplus claims they have to pay 2s. 6d. stamp duty.

494. Is that on the statutory declaration?—Yes.

495. You afterwards receive and pay the money, and account for it in Chancery?—Yes.

496. What position in life would you say, is occupied by the husbands who get the £251?—Scot of day labourers.

497. That is not what I ask. What is the position of those that receive the money?—Generally pretty fair, I believe. They might be tradesmen, but their fathers were day labourers.

498. Mr. Justice O'BRIEN.—It certainly would appear to me from the statute that it was intended that the fathers should be alive at the time; it was

the duty of the clerk to keep a list of the day labourers.

499. Lord Justice Fitzgerald.—Is there any difference in position between the people who get the £251 fortune and those who come under the surplus?—I don't think there is. They are all much the same.

500. When you pay the money you don't know how it goes?—I know several cases in which it was of great advantage to the people.

501. Mr. Justice O'BRIEN.—Are advertisements published calling on the people to put in claims?—Yes, in the month of December.

502. At what time are they required to be sent in?—Before the 6th of January.

503. Must they be married at the time?—Yes.

504. Dr. TRAILL.—You could not promise them anything on the strength of an engagement?—No.

505. Do you receive any income beyond or separate from your income as clerk?—It is £100 a year.

506. For what was the amount of £59 odd paid to the executor of William Johnston last year?—The costs of passing accounts.

507. Mr. Justice O'BRIEN.—Were they solicitors' legal costs?—Yes, the taxed costs.

508. Dr. TRAILL.—Does it cost £59 to put in a statement of accounts in the Court of Chancery?—I don't know. That is the amount of the taxed costs.

509. Have you got any account supplied to the court for which you were allowed £59?—I have not.

510. What would the items in the account be made up of?—I never saw one of the accounts.

511. Who supplies them?—My solicitor.

512. Who is your solicitor?—Mr. Stanley is at present. Mr. Johnston was formerly.

513. What is the nature of the account that costs £59?—I could not say—it is a miscellaneous bill.

514. The rental seems a simple thing. Does the solicitor give a statement of all the claims?—Yes.

515. Mr. Justice O'BRIEN.—Would not that be part of your ordinary business, and not part of the business of the solicitor?—I never did it.

516. Dr. TRAILL.—What has the solicitor to do that his costs amount to £49. You had not to make motions in court, for your accounts are very simple things?—It was paid on the taxed bill.

517. Professor DOUGHERTY.—Is this bill of costs a different one from Sir Patrick Maxwell's?—It is.

518. Have you any idea of the amount of Mr. Maxwell's bill of costs?—It is down in the account.

Mr. GOSCHEN.—It is the duty of the Board's solicitor to report on the Charlton charity every year.

519. Lord Justice Fitzgerald.—There appear to be three sets of solicitors attending every portion of the proceedings in Chancery. First, there is "paid William Johnston, costs of passing said account, £9 13s.;" then, "paid same £1 10s. costs of lodging the balance;" "paid Sir Patrick Maxwell, costs, £26 6s. 7d.;" "miscellaneous costs of defendants, the trustees of the will of Thomas Charlton, £6 15s. 6d."

520. Dr. TRAILL.—Was there an action between them?

521. Lord Justice Fitzgerald.—No. Then, "executors of late William Johnston, miscellaneous costs, taxed 25th November, 259 12s. 10d." How long was that bill for?—It must have been for more than a year.

Then comes, "Freeman's Journal, £3 8s.; Daily Express, 23 7s.; Meath Herald, £2 6s.; Longford Independent, 27 7s.; printing, 6s. 6d."

Mr. Justice O'BRIEN.—It costs a considerable sum for publishing the banners.

522. Professor DOUGHERTY.—You don't advertise in *Cavan* or *Louth*?—It is advertised in the Dublin papers.

523. I observe you advertise in the local papers of Meath and Longford?—Yes.

524. But you do not think it necessary to advertise in the local papers of the adjoining counties?—No.

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William Board.

525. You never tried an advertisement in these counties, and finding a girl disengaged who would get something out of the fund?—No.

526. Lord Justice FRANKLIN (to Rev. Mr. Keene).—As you are the clergyman of the Navan parish, perhaps it will be more convenient to take your evidence there?

Rev. Mr. Keene.—I would prefer that; but I may hand in the Report now of the Meath Diocesan Council.

Mr. Keene read the following:—

The Charities Endowment.—This Endowment is at present applied in providing marriage portions for the children of Dissenters living in certain districts of the counties of Meath and Longford. It was originally applied for the exclusive benefit of Protestants; but by a recent Chancery Scheme, its benefits have been extended to Roman Catholics; but there were not Protestants enough to claim the grant. The Sub-Committee having consulted with the bodies already interested, have, with the approval of the Diocesan Council of Meath, adopted the following resolution,

which they recommended should be passed upon the Educational Endowments Commissioners:—

This Sub-Committee is of opinion that the Charities Fund should in future be applied in the manner as indicated in sub-section (5), clause 11, of the Meath Scheme of the Educational Endowments Commission; provided that, in accordance with the will of the founder, girls should be admitted, as far as is possible, to equal benefits with boys.

The following is the clause referred to:—

"To advance in life deserving pupils whose circumstances are such that they need assistance on leaving school. Such assistance shall in each case be given with due regard to the circumstances and needs of the pupils requiring the same, and may be given as or towards the cost of tuition or apprenticeship fees, the cost of obtaining special instruction, or advanced education at the Intermediate Schools, or elsewhere, or in such other mode, and subject to such conditions, as the Board may consider most advantageous."

William Gerson, Esq., J.L., Secretary to the Commissioners of Charitable Donations and Bequests, examined.

527. Lord Justice FRANKLIN.—You appear on the part of the Commissioners of Charitable Donations and Bequests?—Yes. The minutes of my Board contain some interesting historical facts. This case came in this way in 1870 before the Board. The late Mr. John Martin was at that time one of the Members of Parliament for Meath, and his attention was called to the fact that the funds of the charity were accumulating in the Court of Chancery—first to £4,500, then £5,500, and then £6,500. At the time he asked a question from the Chief Secretary in Parliament the funds had accumulated to £6,000 for the reason that no sufficient number of subjects came forward to exhaust the fund. The Chief Secretary brought the matter before the Irish Government, and a case was submitted on behalf of the Irish Government to the present Chief Baron Pallas, then Attorney-General, and the late Lord Chancellor Law, who was Solicitor-General, to have their opinion as to whether the charity was exclusively a Protestant charity. They gave a very elaborate opinion, which is on our minutes, stating that the conditions of the matter were subsidiary to the general intentions of the testator, and that these did not necessarily require that they should be Protestant marriages. The Solicitor for the Board was then directed to bring the matter to the Court of Chancery, seeking for a new scheme, or to have the existing one amended, and if we found that the old scheme, extending it to adjoining counties, did not exhaust the fund, other means should be taken. The Irish Government sent the papers to Mr. William Neilson Hancock, and he went into the whole history of the case. He made a very elaborate report to the Government, giving his opinion that it was not an exclusive Protestant charity.

528. Rev. Dr. MALLON.—Is that report available?—I think it is.

529. Professor DOUGHERTY.—Was it ever printed?—I don't think it was. It ended in a case being submitted to the Attorney and Solicitor-General, and the result of their joint opinion was that a suit was brought by the Board of Charitable Donations and Bequests, for the purpose of obtaining a scheme under Lord Chancellor Hall. Lord Chancellor Hall held also that it was not a Protestant Charity exclusively.

530. Lord Justice FRANKLIN.—When you say "not a Protestant charity," you mean that he held it was not necessary that the persons receiving the money should be Protestants?—Yes. The original scheme, as I stated, was so prepared that the Board of Charitable Donations and Bequests were to administer the charity; but when it went before Lord Chief Justice May, when Attorney General, he gave the opinion

that, under the Act of Parliament, it was not competent for the Court of Chancery to devolve it upon us. It therefore remained with the Court of Chancery, and a Receiver was appointed to administer the fund. The minutes of the Board would explain how it is that three sets of Solicitors have to attend every year. The Solicitor must attend for the Board of Charitable Donations and Bequests, as we have carriage of the proceedings. He has the directions of the Board to investigate every claim. The Solicitor for the Receiver also attends, and Mr. John O'Hagan attends as Solicitor for the Trustees, who are the Members of Parliament for Meath and Longford, and the High Sheriffs, who are bound to be represented every year.

531. Lord Justice FRANKLIN.—Do the Trustees ever take any part in the management of the charity?—Never. It was brought before Mr. Martin as an official Trustee as the Member for Meath, and he had never heard of the charitable trust.

532. May we take it that the governing body, created by the Act of Parliament, has at present no function to perform, and performs none except that of employing one of three sets of solicitors?—None except that.

533. So far as you know, is there anything except the difficulty arising from the existence of the Act of Parliament to prevent this charity from being administered through your board directly, as so many others are?—I am not sure that the Board would do it, for there is the collection of rents of landed property connected with it which the Board never undertakes, as it has no machinery for it. In fact, a clause was introduced into a Bill which has since become an Act of Parliament for the purpose of giving the Board power to accept property of the kind, and the Board unanimously rejected the clause and would not allow it to be put in.

534. Mr. Justice O'BRIEN.—In whose name does the stock stand?—It is in the Accountant-General's name, to the credit of the cause.

535. Dr. TRAILL.—When it goes into Chancery does not that take it out of the hands of the trustees?—It was thought necessary that the trustees should be represented.

536. Why are they represented if the Court of Chancery is to have a Receiver?—They were appointed by an Act of Parliament.

537. Lord Justice FRANKLIN.—If you wanted to bring an action for rent against a tenant, or to evict him, you would have to make the trustees plaintiffs?—No doubt; only for the Act of Parliament incorporating the trustees I think the Court of Chancery would pay out the fund to us.

538. Is there an annual report from the Solicitor to the Board upon this charity?—More or less there is an annual report. He states the number of cases. Our minutes contain a historical record from the time the first question was asked by Mr. Martin in the House of Commons, which was the foundation of the proceedings. I can readily get the minutes. They are very voluminous, but very valuable.

539. Lord Justice FRYER.—Is there any difficulty in our authorising your Board to apply to the Court of Chancery for a transfer of the stock, and so to get rid of the Chancery costs?—None, if you had the power.

540. Dr. TRAILL.—We have; that is what we are here for. That would be a mere trifle to us.

541. Mr. Justice O'BRYEN.—Are there not a great number of cases under the control of the Board managed without overloading costs?—Yes, there are

little or no costs in some cases. Our solicitor is not paid as many hundreds as the old solicitor was paid thousands. Every case formerly was referred to their offices. Now, in consequence of the secretaries being barristers, the solicitor to the Board does not on an average cost £300 a year.

542. Can you express any opinion as to the utility of the charity?—When the communication from the Board was received our Board ordered us to give it every possible aid and facility, but they did not think they should express any opinion as to the utility or invalidity of the charity, or the expensiveness for it—that it was for the Commissioners to do that.

Lord Justice FRYER.—We will not ask for the minutes as you say they are so voluminous. We will ask you to kindly allow our secretary to inspect them.

Mr. James W. Bond.

543. As representing the Longford people, I think it would be advisable if the Commissioners could hold a meeting in Longford to hear the views of the people there.

544. Lord Justice FRYER.—If we went to Longford would the people be ready to give us any information?

Mr. Bond.—I think the clergymen would be anxious to give you information if they knew you were coming. I can only speak about my own labourers who have derived great advantage from this charity.

545. Rev. Dr. MOLLOY.—Do you think the scheme works satisfactorily as regards Longford?

Mr. Bond.—It does, very satisfactorily.

546. Mr. Justice O'BRYEN.—Supposing the Commissioners were to go to Longford would you attend there to give information?

Mr. Bond.—Certainly we would.

547. Mr. Justice O'BRYEN.—And more material information than you have now?

Mr. Bond.—Yes, from my previous knowledge.

Rev. Dr. MOLLOY.—Some of the representatives from Longford will probably be at Navan to-morrow, and we can take their evidence.

Mr. Bond.—I was present when the Month Diocesan Council sent forward their views to the Diocese of Ardagh. They do not agree with the Diocese of Meath.

548. Lord Justice FRYER.—We have got a letter from the Protestant Bishop of Kilmore (Dr. Rhoads), dated 8th April, as follows:—

"DEAR SIR,—I regret it will be quite out of my power to attend the meeting to be held at Navan on the 11th instant, to consider some changes with regard to the Chariton Charity. I beg to say that I most strongly object to the proposal to apply a portion of the funds to educational purposes. There has been

already a departure from the original intention of Mr. Charlton, and what is now suggested would be a further deviation in another direction. I may state that at the last meeting of the Diocesan Council of Ardagh this matter was considered, and the unanimous opinion of the Council was against what is now proposed. I find that the net result of the Chariton Charity in the County Longford is £488 13s. 3d., while the rental in the County Meath is only £281 2s. 3d. It appears to me that the objection coming from me, as Bishop, and from the Council of my Diocese of Ardagh, should have great weight in the consideration of the question. I shall feel obliged by your bringing this communication before the meeting at Navan."

549. Mr. Justice O'BRYEN.—Are you a member of the Council of Ardagh, Mr. Bond?

Mr. Bond.—Yes.

550. Mr. Justice O'BRYEN.—And in that character you resisted this suggestion?

Mr. Bond.—The first time I heard of this scheme was when I went to the Council. The bishop communicated it.

551. Lord Justice FRYER.—It is plain that there is a difference of opinion between the people of Meath and Longford, and I think we could not fairly go to Meath only—we must go to Longford to hear the local evidence, and we will appoint a day, as soon as we can, and give public notice.

Mr. Bond.—The charity has been very useful to some of my labourers. The labourers have no person to represent them.

552. Mr. Justice O'BRYEN.—Have they not their representatives in Parliament?

Mr. Bond.—Some of my labourers got this money which gave them a start in life. Others were enabled to buy a cow, so that it is an encouragement to the people.

April 11, 1889.

William Gernon, Esq.

Mr. James W. Bond.

THE ROGER PALMER CHARITY.

William Gernon, Esq. examined.

April 11, 1889.

553. Lord Justice FRYER.—Mr. Gernon, I believe the Palmer Charity is under the management of your Board; you can tell, then, the facts in regard to it?

Mr. Gernon (reads portion of Testator's will). A complaint was first made to the Board in November, 1857, by the Rev. Mr. Duff, then Catholic Curate of Rush, complaining that the fund had been for some time withheld. I laid before the Board a copy of Sir Roger Palmer's will and codicil, by the latter of which £2,500, to bear interest at six per cent. per annum, was left for the purpose of providing out of the interest each year marriage portions for ten poor women, never married, between the ages of twenty and thirty-two years, at the rate of £10 each at the least. The solicitor for Sir R. Palmer was ordered to account for the application of the bequest for ten years. On the 28th January, 1858, there was a statement from the

solicitor that the bequest had not been applied to the objects directed, but that it had been applied for other charitable purposes. The solicitor was ordered particularly to account for the application during the years 1856 and 1857, and to furnish the names and residences of recipients, and amount paid to each. By minutes of February 11 and February 25, 1858,—it appearing that the charitable fund had been applied to pay off a mortgage—it was ordered, that the fund should be without delay transferred to the Board. On April 26, 1858, there was a transfer to the Commissioners of £3,035 18s. 10d. I believe it has since increased. The exact figures will be given. On October 28, 1858, there were letters from Messrs. Barstall and Duff stating opinions that the testator's original intentions could not be carried into effect.—Ordered, that there ought to be a scheme varying the objects of the charity, pro-

William Gernon, Esq.

April 11, 1886.
William
Gerrard, Esq.,

needings to be taken by trustees. A draft scheme of the trustees was submitted to the Board on June 2, 1858, and was condemned; another scheme was brought forward on November 24, 1859, and was also condemned, but a scheme was finally settled in the year 1860.

554. Is that the scheme under which the charity is now administered?—Yes. It was drafted by the late Baron Hughes, who was a member of the Board, and it was approved of.

555. Has that scheme been working ever since?—Yes.

556. Mr. Justice O'BRIEN.—The parties are not to be married in the first instance before making application?—The priest of the parish gives out in the month of March the "May money" that is to be given as marriage portions. I send out a form prepared under the sanction of the Board. (Form produced).

557. There seem to be only five recipients of the charity every year?—It has been limited to five for some years past. In that way more money is given to each of the parties. The application has to be signed by the Protestant and Roman Catholic clergyman.

558. You have only £160 a year to distribute?—We have never had so much. Since Mr. Gorman's Act it is only about £85.

559. There do not appear to be much costs in the working of this scheme?—Nothing appreciable. The fund altogether is only £3,221 7s. 7d.

560. Have you always applicants for the money?—In one year there were only four applicants, and the Protestant clergyman fell back on an alternative scheme, and had the money applied to have a nurse trained in one of the hospitals in Dublin. That is the only year that I recollect any diversion of the fund from marriage portions.

561. Rev. Dr. McALEER.—You say there are five marriage portions given every year?—Yes, for the last twenty years or so.

562. Is that £50 a year?—Oh, it is more; it should be close on £90 for each marriage portion. We divide the fund equally amongst the five persons entitled. Each girl appears before me to receive her portion.

563. Mr. Justice O'BRIEN.—The girl is not married when she comes before you?—Yes, they have to produce the certificate of marriage before being paid.

564. Lord Justice FRYGEMAN.—This is a fund restricted to a particular estate, the money is paid in fixed sums large enough to be substantially useful, and the girls on getting married, can rely on receiving it. The young men know that they are to get a fortune?—Yes.

565. How do you pick out the five who are to get the money if there are more than five applicants?—Since 1858 there was a kind of agreement with the Board. Mr. O'Carroll came into the parish of Rush in 1848. The two clergymen previous to him did not work the charity to the satisfaction of the Board. Sometimes they would nominate eight, nine, or ten, and after being nominated the parties would occasionally withdraw, and the intended wife would not have the intended husband.

566. How do you now pick out the five who are to receive the money?

Rev. Mr. O'Carroll, P.P., Rush.—I make a choice of the most deserving.

567. Lord Justice FRYGEMAN.—Are there no Protestants there?

Rev. Mr. O'Carroll.—No.

Mr. Gorman.—The Protestant clergyman has the first right of nomination, but he has not found a Protestant girl to lay claim to the fund. The only time he did claim was for the alternative scheme.

568. Professor DOUGHERTY.—The recipients, according to the scheme, were to be Protestants in the first instance?—The Attorney-General and Solicitor-General gave a joint opinion on the question—that the Protestant clergyman could, if he desired to assert his right, nominate Roman Catholics.

569. The scheme provides for alternative nominations by the two clergymen?—It does.

570. Dr. TRAILL.—I thought that each of them was to nominate alternately a woman to receive £30 for her advancement in life?—No; the management was given to the Commissioners of Charitable Donations and Bequests, the money to be applied every month of May—£10 each to ten women, and in case there were not so many as ten fulfilling the conditions required, the application was to be by way of increased portions, not exceeding £20 each; and in case there should be after that any surplus, it was ordered that it should be applied to educational purposes, the residents of the town of Rush to be preferred.

* Such female to be nominated alternately by the clergymen of the Established Church for the time being, having care of souls in or nearest to the town of Rush, and the priest of the Parish of Rush for the time being, and the mode of the application of the said sum of £20 (whether for the education or advancement in life of such female), to be in the discretion of the person so proposing such female.

571. Lord Justice FRYGEMAN.—Under the scheme your Commissioners would have the choice if there were more candidates than portions?—Yes; but it has not occurred that they should make the choice.

572. Did the clergymen always concur?—They did. They have always done so.

573. Professor DOUGHERTY.—To whom do you send the forms?—We send them to the Parish Priest, and that the Protestant clergyman may be brought in pivity with the clergy, I always got the nominations signed by both.

574. Lord Justice FRYGEMAN.—This alternative nomination for the £20 was only made in one year?—Yes.

575. Mr. J. J. Clancy, A.L. (Instructed by Mr. Christopher Friery, Solicitor).—I appear for some householders of the town of Rush—heads of families who represent by far the greater number of the inhabitants of the town, and they oppose any diversion of the money to other than the uses for which it is intended. I would like to ask Mr. Gorman a question or two on the subject.

576. (To Mr. Gorman).—When were you appointed Secretary?—In 1836.

577. Can you tell anything about the application of the fund up to that time?—It was considered that it had been misapplied.

578. We want to know whether it was misapplied from 1800 down to the time the fund was transferred to your Board?—The Board did not investigate so far back as that.

579. You spoke of the solicitor being ordered to bring in an account. Was it brought in?—It was, and the unsatisfactory nature of it induced the Board to bring the matter into the Court of Chancery.

580. Could you supply the Commissioners with a copy of the report?—I think I could. The solicitor was ordered to bring in a special account for 1856-57.

581. Mr. Justice O'BRIEN.—How do you think it necessary, Mr. Clancy, for the Commissioners to consider that. Can you make parties liable now for things that occurred forty years ago.

Mr. Clancy.—It is for the satisfaction of the Irish people.

582. Lord Justice FRYGEMAN.—The Commissioners of Charitable Donations and Bequests had the duty of realising and securing the fund. In 1857, rightly or wrongly, but presumably doing the best they could, they took this £3,025 12s. 10d., and that is the sum which now constitutes the capital fund.

583. Mr. Clancy.—I want to know how the money has been invested since the Board got the control of it.

Mr. Gorman.—In the only way the Board does invest—in Government securities.

584. How much was the annual interest before the recent change in the rate?—£56 was the interest up till lately; it is now only £35 16s. 5d. a year.

585. Mr. Clancy.—Do you recollect any occasion where the clergymen differed as to the distribution of the

fund 1—In the beginning there was a little difference. There was never any restriction on them, but now cases of difference do not practically exist.

585. You say there was one year in which a surplus arose 1—There was one year that only four girls could be picked out as qualified, and the Protestant clergyman got the surplus, which was applied to pay for the training of a nurse.

587. Rev. Dr. Mottor.—Why was the number fixed at five for each year?

Rev. Mr. O'Connell.—In order that each girl would have more money the fund was divided into five equal portions.

588. Lord Justice FRYGESSON.—They were limited

by the scheme not to give more than £20 to each one claiming 1—Each one receives one-fifth part of the income, and they reduce the number to five to go as near the maximum as they can.

Mr. Gerson.—In one year £74 was given to four girls, and the Protestant clergyman got £15, which was applied in payment to the training of a nurse.

Rev. Mr. O'Connell.—I think the four got £20 each, and the balance went to the nurse.

589. Rev. Dr. Mottor.—The next distribution of a sum for that purpose would be by the Catholic clergyman?

Mr. Gerson.—Yes, if it should ever arise.

April 11, 1889.
—
William
Gerson, Esq.,

Rev. Francis O'Connell sworn and examined.

590. Lord Justice FRYGESSON.—You are the parish priest of Rush 1—Yes, since 1867.

591. During that time you have taken part in the distribution of the Roger Palmer charity money 1—Yes; I commenced it in May, 1868.

592. Tell us shortly what arrangements you and the Protestant clergyman make about the money, and how you think the thing works 1—The young women always come to me to have their names put down for the "May money." That is what it is called.

593. There are no Protestants, it seems, in the parish at all—no eligible girls 1—No Protestants ever applied.

Mr. Gerson.—The persons to receive the money must be of the poorest class.

594. Lord Justice FRYGESSON (to Rev. Mr. O'Connell).—What number apply to you, as a rule, each year 1—About six or seven.

595. Is that the full number of the inhabitants getting married each year 1—Yes.

596. Mr. Justice O'BRIEN.—Do they arrange among themselves as to who are to go in for the May money 1 I don't think they do.

597. Lord Justice FRYGESSON.—Does everybody getting married on the estate go in for the money 1—Certainly not.

598. Do you know the limits of the estate 1—I cannot say. The fund is limited to the inhabitants on the estate, or to women born in the town of Rush, "or within two miles of it upon my estate."

599. Mr. Justice O'BRIEN.—Does the Palmer estate extend over more than two miles 1—It goes as far as Balrothery, which is four miles from Rush.

600. At what time do the parties make application to you for the May money 1—Some time in January.

601. Before Lent, I suppose 1—Yes, always.

602. Is there any understanding as to when the marriage is to take place 1—It must be in May.

603. Lord Justice FRYGESSON.—According to your experience, how does the fund work 1—I never inquired exactly about it. When the money is given in charity to people we never inquire how they make use of it.

604. Have you known of any social evils, moral or social, arising from giving the money 1—Not to my knowledge. There might be harm not getting it.

605. Professor DOUGHERTY.—Do you think any great practical advantage arises from giving it 1—Not in Rush, for the sum is small.

606. How much is the amount given to each 1—About £10.

Mr. Gerson.—It will be less now.

607. Professor DOUGHERTY.—Would you be in favour of diminishing the number of people receiving the charity, and giving increased portions 1—No, I would not. I am not instructed on that matter.

608. What would your own opinion be as to increasing the amount 1—I think it might be better to increase the amount.

609. And to diminish the number of recipients 1—Yes.

610. What would be the right amount, in your opinion, for a gift of this kind 1—I would say £25.

611. Mr. Justice O'BRIEN.—Is not £20 a good fortune to a poor girl 1—I would say the number should be reduced to four each year.

612. Professor DOUGHERTY.—Do you happen to know how the money is applied by the parties who get it 1—The money is given to them in charity.

613. Do they buy furniture with it 1—I could not say.

614. Mr. Justice O'BRIEN.—Does any of it go to the publichouse 1—I could not say.

615. They are your parishioners, and you might be able to know it 1—I could not tell.

616. Dr. TRAILL.—The girls you recommend for the bounty are girls of good character 1—I am the party to see to that, and I see always that they are worthy of the charity.

617. Mr. Justice O'BRIEN.—It is very important for us to obtain some opinion from you upon the operation of this charity as regards its advantages to society 1—I suppose it is of some assistance to the people, but it cannot be of great assistance, as the sum is small.

618. It may be of assistance, but it might produce certain evils 1—It does not produce evils.

619. Dr. TRAILL.—Do you inquire into the class of the intending husbands as well 1—Of course.

620. Would it not be better to advance the girls in life, and get them a training such as the Protestant clergyman did in one case 1—I would not get them to do that.

621. Mr. Justice O'BRIEN.—Are the parents of the girls agricultural labourers or fishermen 1—They are fishermen generally of the poorest class.

622. Lord Justice FRYGESSON.—When you have seven or eight applications, do you select the poorest 1—I select the most deserving to the best of my knowledge.

623. It may be a delicate question to ask, but did you ever get into trouble with disappointed candidates 1—I never gave me any concern.

624. Mr. Justice O'BRIEN.—Has it ever occurred that you rejected them all 1—Not them all.

625. You have rejected several 1—I preferred several to others.

626. But you keep the list full, and there are five applicants always ready 1—Yes.

Lord Justice FRYGESSON.—There is a certificate that the priest and rector have to sign.

627. Mr. Gerson.—I don't pay the money until all the conditions are fulfilled.

628. Mr. Justice O'BRIEN (to Rev. Mr. O'Connell).—I observe you don't give any direct opinion on the matter. Would you be prepared to answer another question—could the fund be better applied in any other way for the advancement of the people 1—I would not say that. I think the money should be given to them as it is applied at present.

Rev. Francis
O'Connell.

April 11, 1899.
Rev. Francis
O'Carroll.

629. Rev. Dr. MOLLOY.—You don't see any sufficient reason for making any change in the present system?—Certainly not.

Mr. GERNON.—There have been about 162 marriages since the Board got charge of the fund.

630. Mr. Justice O'BRIEN.—Have you any returns of the killed and wounded?—No.

631. Mr. CLANCY.—So far as you are aware, all the conditions of the will were observed?—Yes.

632. Have you ever learned that you were imposed upon?—No.

633. You know of no instance of that?—Not to my knowledge.

634. You also said that in your opinion the distribution of the fund did not lead to any practical evil?—No; I did not say that.

635. Do you know that it did lead to practical good?—I will not say that.

636. Rev. Dr. MOLLOY.—You said the money did not do much good?—Yes; for the sum is small.

637. Mr. CLANCY.—Are you aware of several instances in which men, by reason of their wives getting these marriage portions, have been enabled to set up in business?—No; I don't see how they could set up in business on £18.

638. Mr. Justice O'BRIEN.—You merely say it stops the mouths of the hungry?—It might enable persons to go to America. It might pay their passage.

639. Would it be an advantage that they should leave the country?—I could spare forty or fifty young women if they would go away.

640. Dr. TRILL.—Do you know, as a matter of fact, any persons who, on going away to America, got the money?—I think on one or two occasions parties who got the money went away.

Rev. Donagh Jeffries, M.A., sworn and examined.

Rev. Donagh
Jeffries, M.A.

641. Lord Justice FITZGERSON.—How long have you been Rector of Lusk?—Since 1884.

642. Do you take any part in the administration of this fund?—Only a formal one. I see the documents every year, and I have every confidence in Father O'Carroll.

643. You take the certificates on the faith of Father O'Carroll?—Yes. I live some distance from Lusk, and the people looking for the money belong to his flock.

644. Have you had any cases of girls of your own Church who were eligible to receive money from the fund?—If they were eligible they never took advantage of it.

Rev. Mr. O'Carroll.—If they applied to me I would give a certificate.

Rev. Mr. Jeffries.—As a matter of fact, they have never applied to me.

645. Mr. Justice O'BRIEN.—They are of a better class, or a higher class than those for whom the charity was intended?—Yes; they are of a higher class.

646. How much is the Protestant population?—150.

647. Is that on the estate?—There are only eighty on the estate.

648. Are they mostly small farmers?—They are coastguardsmen, and retainers of Sir Roger Palmer, and one or two shopkeepers.

649. Not net fishermen?—Not fishermen.

650. Lord Justice FITZGERSON.—Are any of the poorer class Protestants?—No.

651. Have you any suggestions to make as to the working of the charity?—I know hardly anything about it. I have confidence in the Rev. Mr. O'Carroll. I have no objection to the way it is worked. I have no objection myself. Other people say it would be better to apply the money to other purposes.

652. Professor DOUGHERTY.—What purposes?—No purpose was suggested to me. I never thought of the matter.

653. Lord Justice FITZGERSON.—Do I understand that the poorer class in the district would only include Roman Catholics?—Yes.

654. Then your parishioners are out of it as objects of the charity?—Yes.

655. If there was a Protestant girl eligible would her application be received?—Yes.

Rev. Mr. O'Carroll.—Most decidedly.

656. If there was a difference of opinion you should all understand that the decision would rest with the Commissioners of Charitable Donations and Bequests.

Mr. GERNON.—There has been no surplus for the last thirty years.

657. Mr. CLANCY.—I think you said there were eighty Protestants on the Palmer estate, and the

chief Protestants in the town are the coastguards?—Yes, and retainers of Sir Roger Palmer.

658. A good many of them are not born on the estate?—No.

659. And they don't remain very long there?—Some of them do, and some do not.

660. The coastguards are recruited occasionally?—Yes.

661. They are changed at certain periods?—Yes.

662. And the retainers of Sir Roger Palmer are not always the same?—Some of them remain a long time.

663. Mr. Justice O'BRIEN.—He has a residence there?—Yes, he has.

664. Mr. CLANCY.—Have there been any servants brought there recently?—A good many within the last two years.

665. Are you able to say how many were in the establishment before that time, and how many now?—No.

666. Lord Justice FITZGERSON.—There are in the parish of Rush and Lusk a population of 4,355 persons, and of those 4,176 are Roman Catholics. Of the total Protestant population 148 are Church people, and 30 Presbyterians, by the last census.

667. Mr. CLANCY (to Rev. Mr. Jeffries).—You live four miles from Rush?—Yes.

668. And you don't know much about the distribution of this fund?—I am in the town of Rush every week, for we have a school there.

669. Rev. Dr. MOLLOY.—There is no general feeling in the locality that the money could be better expended in any other way?—No.

670. Does it do as much good in the manner in which it is expended now as if it were expended in education, to benefit all those in the neighbourhood?—If you ask my own opinion I would say it would do more good if it was applied for educational purposes.

671. Lord Justice FITZGERSON.—Is that your opinion as regards portion funds in general?—Yes.

672. Rev. Dr. MOLLOY.—Are there any industries carried on about Rush?—No, except farming.

673. Would it be of any use to establish technical instruction for the benefit of young people there?—Father O'Carroll lives in the neighbourhood and could answer that question.

674. Mr. CLANCY.—I appear for some householders who have gone to the trouble of signing a declaration, stating that they are residents in Rush, and that they object to any division of the money from its original purpose.

675. Lord Justice FITZGERSON.—Are they satisfied with the present mode of administering the fund?

Mr. CLANCY.—I believe they are satisfied with the

present mode of the distribution of the fund, and they object to its division to any other purposes. They also say that this should not be converted into an educational endowment.

675. Lord Justice FRYGROVER.—The persons entitled to the benefit of the fund are of the poorest class, and the only question is in the change of circumstances

since the making of the will there is any reason why the money should be applied in any other way than it is now.

Mr. Clancy.—I propose to show that it is well applied.

Lord Justice FRYGROVER.—You can make a selection of your witnesses.

April 11, 1890.
Rev. Danby
Jefferson, M.A.

Thomas Andrews sworn and examined.

677. Mr. Clancy.—You are resident of Rush?—Yes.
678. When did you get married?—Twenty-two years ago next May.

679. You benefited by this fund?—I did. I got £18 13s. 6d.

680. What calling do you follow?—A butcher.

681. What were you when you got married?—I was a sailor. I went to sea for some time after I got married.

682. Did you set up any business then?—I did.

683. Mr. Justice O'BRIEN.—What did you do with the £18?—I partly built a house with it, and bought some furniture.

684. Mr. Clancy.—Did you set up a butcher's shop?—Yes.

685. Were you enabled to do so by means of the marriage portion?—It helped to do it.

686. Professor DOUGHERTY.—Was it after getting the money you started the butcher's shop?—Yes.

687. Mr. Clancy.—Are you still a butcher?—Yes.

688. Mr. Justice O'BRIEN.—Is your wife living?—She is.

689. Mr. Clancy.—Have you been doing well?—Pretty well. I make a living.

690. Rev. Dr. MOLLOY.—Are you satisfied with the present mode of distributing the fund?—I am.

691. Have you a family?—I have.

692. Professor DOUGHERTY.—What is the size of the family?—The eldest is going on twenty years of age.

693. None of your children have applied for any of the portions yet?—None.

694. Are they not likely to?—I don't know.

695. Do you think this fund would be of advantage to the poor people of Rush if given to secure a better training for the young in the fishing industry?—I don't think it could be applied in a better way than it is now, for it is a power of benefit to the people.

696. Mr. Justice O'BRIEN.—Is your eldest son doing anything?—He is assisting me.

697. There are schools already in the town?—Yes.

698. National schools?—Yes.

699. Rev. Dr. MOLLOY.—I suppose your views on the subject are those of a good number of the inhabitants of Rush?—They are.

Thomas
Andrews.

700. Mr. Clancy.—You can tell about the people who sent in the declaration to the effect that they don't want any change in the application of the fund. Are you aware that 200 have signed that?—Yes.

701. Mr. Justice O'BRIEN.—How did so many take such an interest in it?—Any one I know would be in favour of keeping the fund as it is.

702. Mr. Clancy.—I am instructed three Protestants have signed the memorial?—Yes.

703. Mr. Clancy.—It is right to say that some of the signatures are in the handwriting of the same person, but the persons who signed are able to make a declaration that they were asked by the officers to sign for them.

704. Dr. TRAILL.—Did they sign for workmen?—Mr. Clancy.—Yes, and for others besides.

705. Rev. Dr. MOLLOY (to Witness).—Have you got 200 signatures?—119.

706. Are they all Protestant voters?

Mr. Clancy.—Every man who has a house has a vote now.

707. Professor DOUGHERTY.—Are all these separate households?

Mr. Clancy.—They are heads of families.

708. Mr. Justice O'BRIEN.—A great many of the names are in the same handwriting?

Mr. Clancy.—So I have said, but that only occurred in the case of one of the canvassers.

709. Lord Justice FRYGROVER.—The memorial is of a negative kind. It is an objection to the application of the fund to any other purpose than that for which it was originally intended.

710. Mr. Clancy (to Witness).—Does that declaration represent the unanimous feeling of the people of Rush?—Yes.

711. So far as you know yourself the distribution of this money has led to good results?—Yes, so far as I know myself.

712. Do you know of any case in which it has not led to good results?—None.

713. Professor DOUGHERTY.—Has it within your experience been confined exclusively to the poorest class of the population?—Generally so. They are all a poor class of people.

Edward Fries sworn and examined.

714. Mr. Clancy.—You were one of the residents of Rush who got a marriage portion out of this fund?—Yes.

715. How much?—I think it was £18.

716. What is your trade?—A harness maker.

717. Mr. Justice O'BRIEN.—How long ago is it since you got the money?—Twenty years.

718. Have you a family?—Yes.

719. Mr. Clancy.—Had you any house of your own previous to the receipt of the money?—No.

720. You were enabled then to get a house, and to do business since?—Yes.

721. And are you doing well since?—Yes.

722. You are of the same opinion as Mr. Andrews as to the application of the fund?—Yes.

723. What were you at the time you got the money?—A harness maker.

724. Mr. Justice O'BRIEN.—Were you an apprentice at the time?—No, I was out of my time.

725. Rev. Dr. MOLLOY.—You were very young when you were married?—Not very.

726. Dr. TRAILL.—Did this fund encourage you to marry?—I cannot say that. It started me in business, and I have been doing well ever since. I had good luck with it.

Edward Fries.

Augustine Kerrigan sworn and examined.

727. Mr. Clancy.—You are another of the residents of Rush who got the marriage portion?—Yes.

728. What were you before that?—I was cultivating land.

729. You were a labourer, I suppose?—Yes.

730. After you got married did you take land, and become a tenant?—I did.

731. Are you still a tenant on this land?—Yes.

Augustine
Kerrigan.

April 11, 1868.
Angeles
Kerrigan.

732. Mr. Justice O'BRIEN.—Have you had a judicial rent fixed?—I pay the rent.
733. Dr. TRAILL.—You are a farmer now?—Yes.
734. How many acres do you hold?—They are not much.
735. Have you any other occupation besides farming the land?—I have not.
736. Have you four acres?—I have not.
737. Mr. CLANCY.—Did you purchase stock to put on the land?—I did.

738. You started out of the money you got from the fund?—Yes.
739. And you have kept yourself above water ever since?—Yes. I got a cow out of the money I received.
740. You are of opinion I believe that the fund could not be better applied than it is at present?—I am.
741. Professor DOUGHERTY.—How long ago is it since you were married?—Ten years last May.

Christopher McCann sworn and examined.

Christopher
McCann.

742. Mr. CLANCY.—When were you married?—In May, 1869.
743. You received the marriage portion?—Yes.
744. How were you able to benefit yourself when you received the portion?—When I received the money I purchased a little place.
745. What were you first?—A sailor.
746. And when you received the money you got a home for yourself and wife?—Yes, by the means of this money and my own industry.
747. Are you the owner of the site on which the house is built?—Yes, now. I purchased the site with the May money, and built the house.

748. How much money had you when you got the May money?—Nothing at all.
749. What are you now?—I am a master mariner.
750. Lord Justice FITZGERALD.—Are you master of a trader?—No, a leet.
751. Mr. CLANCY.—What sort of a house have you?—It is a two-storey house.
752. Rev. Dr. MOLLOY (to FitzGerald).—Are you an Irishman?—Yes.
753. But you have travelled a good deal over the world in your brig?—I have been in nearly all parts of the world.

Robert Leonard sworn and examined.

Robert
Leonard.

754. Mr. CLANCY.—When did you get married?—Three years ago next May.
755. You were one of the recipients of the marriage portion?—Yes.
756. What did you do with it?—It paid my passage to America.
757. Mr. Justice O'BRIEN.—Did you take your wife with you?—Yes, and I came back when I made some money.
758. Mr. CLANCY.—What have you being doing since?—Farming. I got a small farm with the money I earned.
759. Mr. Justice O'BRIEN.—Did you make so much money in three years?—Yes.
760. What was your occupation in America?—Labouring pretty hard.
761. Mr. CLANCY.—Did your wife keep a boarding house?—Yes, she had two or three boarders.
762. Are you living now at Rush?—Yes, I am.
763. And you are content to stay there?—Yes.
764. Professor DOUGHERTY.—Was it in New York you were?—In Boston.
765. How many acres of land have you?—I guess about three or four acres. I got it from my father-in-law by giving a little money for it.
766. Mr. CLANCY.—Your father-in-law got into difficulties owing to arrears of rent?—Yes.
767. And you paid the owners?—Yes, I had made money myself.
768. Dr. TRAILL.—Wouldn't you have been better in America than with four acres at home?—No, I would rather be at home.
769. Lord Justice FITZGERALD.—As I understand, your wife was the daughter of the old man who had the farm?—Yes.
770. He had got into difficulties and you took the farm off his hands?—Yes.
771. Lord Justice FITZGERALD.—The evidence in this case shows that substantially everything we could do for this fund has been already done through the Commissioners of Charitable Donations and Bequests.

The money is vested in the Commissioners and administered without any expense, and the whole interest is directly applied to the purpose for which the testator originally gave it. There may be differences of opinion whether it is wise to give money to be applied in this particular way, but it is only when the intention of the testator has been frustrated that we should venture to divert a fund given for a particular purpose. In this case all the evidence goes to show that what the testator intended is carried out. The poorer class of people receive substantial sums of money in a way that they can rely on. They are people living in the same neighbourhood, and all goes on without cost or waste. I wish every other sum of money given for marriage portions had as good a chance of being well administered as this has been. This is a favourably situated fund. It is restricted to a small number of people, to a particular estate, and to people living in the same neighbourhood, every one of whom knows the circumstances of every body else, and it is not spread over a large area or frittered into precarious sums as in the Charities case. The parish priest and the Protestant clergyman between them must know who belong to the poorest class in the neighbourhood. If any Protestants did turn up they would have the same claim as others, and presumably would get a fair share through the Commissioners of Charitable Donations and Bequests if the clergymen disagreed. Seeing that everything is done that can be done to carry out the purpose for which the money was given, I think we have no right to say that though it is well spent according to the intentions of the man who gave it, we think it better to spend it differently. We will enter on our minutes—as regards this charity—that the Commissioners having heard the evidence, do not consider it necessary to take any proceedings for the settlement of a scheme. The case has been fully and well brought before us, and we are glad to see that the fund is working well enough to justify us in leaving it alone.

THE CHETWODE AND STEARNE CHARITY.

April 11, 1890.
Mr Arnold
Gwynn.

Arnold Gwynn, Esq. (Secretary of the Commissioners of Charitable Donations and Bequests), examined.

772. Mr. Justice O'BRYEN.—You attend with reference to the Chetwode and Stearne Charity?—Yes, on behalf of the Commissioners of Charitable Donations and Bequests. If there are any papers wanted I will hand them in.

773. Have you the will?—I have. There are two bequests. The first is a bequest of the Rev. John Chetwode, Incumbent of Ardaraheen. The supposed will was about the year 1763. I will read extracts from the parochial books of the parish of Ardaraheen—

"The Rev. Mr. Chetwode, Incumbent of Ardaraheen, settled in his life time or bequeathed by his last will and testament the sum of £500 to be put out to interest at five per cent., to be employed in putting Protestant boys of the county of Meath apprentices to Protestant masters at £2 a-piece for each boy, provided said boys are able to read and say their Church catechism; the Bishop of Meath for the time being, Sir Thomas Taylor, the incumbents or curates of Ardaraheen, for the time being, are trustees of said charity."

This charity was added to by a further bequest made by the late Right Rev. Dr. John Stearne, Bishop of Clogher. The date of his will is May 14, 1741. He left an annuity of £30 per year to be put to the trusts of Mr. Chetwode's charity to be an addition to that fund.

774. Mr. Justice O'BRYEN.—What is the amount of the fund at present?—The fund in our hands is at present £3,804 1s. 5d. stock, giving 2½ per cent., and we have cash in hands—£84 9s. 11d. Some of that is accumulating for the purpose of being applied in the month of June, as the scheme will explain. The interest on the fund is £77 2s. 4d., in addition to £50 a year payable by the Primato from Dr. Stearne's bequest.

775. Dr. TRAILL.—In what county is the property producing the £50?—The counties of Armagh and Monaghan. It was represented to the Board in the year 1875 by the then Bishop of Meath, that the charity was not beneficial—that the fees of £3 each were entirely inadequate.

776. Is £3 the figure fixed by the will?—No, but by a memorandum which has always been acted on. It directs that it shall be £3, and the invariable practice had been to pay at the rate of £3. The Board on the 9th day of June, 1875, published a notice that they would apply to the Court of Chancery for a scheme to enable the Trustees to increase the amount of each apprentice fee, and that a higher standard of education should be required to qualify

boys for receiving the benefits of the Charity. A scheme was accordingly framed by the Court by order dated February 7th, 1874. The first trustees were the Right Rev. Lord Plunket, Bishop of Meath, and the Rev. John Browne, Rector of Ardaraheen and Dean of Clonsilla. I put in the scheme and beg to draw attention to the operative clauses which enable the trustees to give apprenticeship fees not exceeding £25; and which make provision for examinations.

777. Who are the existing trustees?—The Bishop of Meath and the Rev. John Bond, Rector of Ardaraheen.

778. Do the trustees act?—They do. They administer the fund entirely. We are simply stakeholders, and we send the money when required for apprenticeship fees. The money has not been anything like all spent. The amount handed over to us was £2,431 in 1837. Within twelve years, by accumulation, it has come to be £2,894.

779. Was that owing to the money being unapplied?—Yes. In 1878 we invested £75; in 1883 we invested £200; and in 1888 we invested £97, accumulations of the dividends and annuity.

780. How much now remains uninvested?—£86 9s. 11d., and that would meet the apprenticeship fees in June. In July we shall have another dividend, probably another £50.

781. How do you account for the accumulation?—It is owing to the difficulty of finding suitable masters for the boys. Mr. Keane who was here tells me that the trustees are not satisfied that the charity is for the benefit of the objects of it, and are of opinion that it would be better applied for educational purposes.

782. Is this charity restricted to the Protestant youth of the County Meath alone?—Yes.

783. And you say it is difficult to find masters?—It is. He says it occasionally happens that they apprentice the boys to their own parents, who put the money in their pockets.

784. Rev. Dr. MOLLOY.—As a general rule, is it to their parents they are apprenticed?—I cannot say.

785. Mr. Justice O'BRYEN.—You do not know anything about the practical working of the charity?—I do not. I only repeat to you what is said by the trustees.

786. Rev. Dr. MOLLOY.—Are the trustees to bring some recommendations before us when we sit in Navan?—Yes.

Adjourned.

PUBLIC SITTING—FRIDAY, APRIL 11, 1890.

At the Courthouse, Navan.

Present.—The Right Hon. Lord Justice FITZGERBON, and Mr. Justice O'BRYEN, Judicial Commissioners; and the Rev. GERALD MOLLOY, D.D., D.S.C., ANTHONY TRAILL, Esq., LL.D., M.D., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Assistant Secretary, N. D. MURPHY, was in attendance.

THE CHARLTON REQUEST FOR MARRIAGE PORTIONS.

Lord Justice FITZGERBON made an introductory statement.

787. Most Rev. Dr. Beichel (Lord Bishop of Meath).—I wish to state my own views on this matter. In the first place I may remark that the terms of the will though they don't mention Protestants, as distinguished from other denominations, infer that in referring to the presence of the minister and churchwardens. According to canon law, though the priest

may not take any other part except being present and listening, the marriage is valid. The terms of the will, strictly in accordance with what I am saying, mean that the marriage is to be celebrated by the minister in the presence of the churchwardens. You are bound to observe the intention of the will which seems to infer that whatever benefit is given

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should be given exclusively to Protestants. The testator meant assuredly it should be given that way. He put it in such a way that by legal construction and by Canon Law mistakes would not be possible. Then with regard to the action of the trustees I must say that, I was ten years Rector of Trim, in the County of Meath, and during those years I had numbers of applications for the charity, but I was not able to sign a single certificate because I found that they were always defective in some one or other particular. It is a curious thing that in the repeated revisions of the trust that have taken place it was not considered an absurd condition that the man should be between fifteen and thirty, and the woman between fifteen and forty. I gather that this was intended to stimulate early marriages among Protestant day labourers. I think the thing is unnatural. I think early marriages quite antagonistic to the conclusions of political economy, and that they produce mischievous effects in more than one way. If the terms of the will are complied with it will have a tendency to pauperise the population, and also a tendency to the commission of fraud. It has a tendency to produce false certificates. People will state that their ages are so and so, when they know it not to be so. Some men have come to me and given statements which I know to be false from the church books. Men would come at the age of fifty and say they were twenty-five. Temptations to fraud of that kind should not be held out. A deputy-lieutenant for the County Longford called upon me on this very subject not many days ago and told me that constantly people came to him with declarations that he conceived he was obliged to take, not having access to the church books, though he knew them to be false. These declarations were made before him as a justice of the peace. A trust that stimulates to impositions, and stimulates to perjury is a trust which, I think, ought to be altered.

788. Lord Justice FRASER.—I think there were prosecutions for fraud upon this very charity?

Bishop of Meath.—I should not wonder. I think that the trust ought to be altered, and that is the view the Diocesan Council take on the subject. My chaplain will state their views.

789. Lord Justice FRASER.—In what way does your lordship consider that the money could be better applied?

Bishop of Meath.—I think that it could be better applied to educational purposes. My own distinct view is that as there is decidedly a tendency now-a-days to do for Ireland what has been done for Germany in the way of endowments, that this trust could be usefully applied in giving technical education to promising youths after leaving the common schools from fourteen years of age onwards. I think that would be of the highest benefit, as it would introduce that variety of industry into the country which is most wanted. People have nothing now but farming in this country. We want a variety of employment, and the people

would be better employed, and the state of the country would be benefited if there was such a variety of employment. If the trust could be made subservient to that it would be better. Its present application I think is rather a curse than otherwise.

790. Mr. Justice O'BRIEN.—There might be a difficulty in carrying that out for the same class. How would you propose to extend technical education to the double class of both men and women, for the charity is for the benefit of the two sexes?

Bishop of Meath.—That is a matter of detail which I would rather not go into. I merely state the principle.

791. Lord Justice FRASER.—The National Board have in the case of the girls' schools introduced a new rule that after passing the fifth standard girls' time should be chiefly devoted to technical education, including domestic work, and a number of home industries. I don't know whether your lordship is aware that in Oldcastle where there is a large school and endowment under the care of the Protestant and Roman Catholic clergymen, our suggestion that it might be useful to have cookery taught met very warm encouragement.

Bishop of Meath.—I remember Lord Cardigan on one occasion in Belfast saying he found a provision for teaching chemistry, and I told his Excellency it would be better to teach the girls to cook.

792. Rev. Dr. MOLLOY.—You don't suggest any means by which technical education would be promoted?

Bishop of Meath.—I said that was a matter of detail I would leave to other persons.

793. Lord Justice FRASER.—Is there in the County Meath at present any existing institution where anything of the kind is taught?

Bishop of Meath.—Not that I know of.

794. Rev. Dr. MOLLOY.—Would your lordship wish the establishment of such an institution?

Bishop of Meath.—I should.

795. Dr. TRAILL.—If the Commissioners decided on keeping the application of the fund as it has hitherto been, for promoting these marriages, would you consider it desirable to extend the original will in the female direction, in order to find a larger number of Protestants eligible, the same as in the case of males, for whom the will was extended to counties touching on Meath and Longford. As it is, it might account for the small number of Protestant marriages, that it is only the sons of day labourers that are eligible from the large number of counties, and yet the testator in his will did not make any difference between the sexes.

Bishop of Meath.—I have not thought of that. I don't like to give an opinion.

796. Lord Justice FRASER.—I understand your opinion to be distinct, that even to Longford and Meath the giving of those portions is not beneficial.

Bishop of Meath.—Most decidedly.

Lord Justice FRASER.—And if not beneficial in Meath and Longford it would not be more so if extended to other counties.

Rev. J. B.
Keene, M.A.

797. On the part of the Diocesan Council of Meath I wish to make a statement in regard to two points—first the Protestant nature of the endowment, and then the application of it. As to the Protestant nature of the endowment, his Lordship has spoken already. It seems to have been the purpose of Mr. O'Connell to multiply Protestants of an humble class throughout the country; because the condition to which attention has already been called about the ages being between fifteen and thirty was evidently made with a view to promote early marriages and large families. There were few Protestant day labourers. The intention therefore was to develop the Protestant community in the two counties named. The population of Protestants was then of a higher class. I think that if a Roman Catholic had left money for a certain set of persons married in chapel, no claim could reasonably or would be made by Protestants upon it. The founder here meant that those should receive the benefit of the money who had been married by the

Rev. J. B. Keene, M.A.

Protestant clergy. He does not say in the chapel or the church, but in the presence of the clergymen and churchwardens.

798. Rev. Dr. MOLLOY.—Doyen know, as a matter of fact, whether a Protestant minister has ever given a certificate of a marriage as celebrated in his presence, which was celebrated by a Catholic clergyman? Never.

799. Mr. Justice O'BRIEN.—It was stated yesterday.

Rev. Mr. Keene.—I don't think it could have taken place.

800. Mr. Justice O'BRIEN.—It was stated very loosely without any apparent authority. It might have been anticipated, what Doctor Reichel said, that solemnized "in the presence," according to the ecclesiastical meaning is really solemnized by the clergyman.

Rev. Mr. Keene.—That is the view taken by the Council, that the marriage meant was marriage by our clergy, and such only, and I think it is quite manifest if a Roman Catholic gentleman had left money to

those married before a priest it would have been confined to that purpose.

801. Mr. Justice O'BRIEN.—The law of the land is, that the presence of the clergyman has the same ecclesiastical effect as if it was in his presence alone, by the mere fact of his presence.

Rev. Mr. Keene.—We maintain as a Council that it was so, and that it was thought the clergy and churchwardens were to sign the certificate in every case.

802. Lord Justice Fitzgerald.—The last scheme proceeds on a different ground. It is a scheme for the management of the surplus income only, and it first provides, that before anything else is done £35 shall be given to every couple qualified under the strict terms of the will, whatever they mean. Whatever a marriage "in presence of the clergyman" means, the scheme awards the full portion of £35 each to all who comply with the actual terms of the will, and it is the surplus only, if any, which is to be distributed among day labourers' children of all denominations. That scheme does not put any construction on the will, but it says that the surplus after giving every one entitled four times as much as the will prescribed, shall be distributed in a similar way among others.

Rev. Mr. Keene.—My opinion is, that the object of Mr. Charlton was to have a number of humble Protestants in the country. He did not want to keep them down as day labourers. He did not say that the sons should be day labourers.

803. Lord Justice Fitzgerald.—Although he does not say it, it looks as if he was providing for the households of day labourers still residing in the country.

Rev. Mr. Keene.—That is a possible interpretation of it. We think that when elasticity was given, it would have been more in accordance with the objects of the will that the fund should have been rendered available for poor Protestant artisans. It has caused great heartburning that we have not been able to sign the certificates for people badly wanting the money, and who were as nearly as possible in the position of labourers. Even under the Chancery scheme priority has been given to Protestants, and if sufficient Protestants were to come forward for it, they would absorb the whole money. We think that when elasticity was given to the will it should have been in favour of those who were in a similar class or in an humble class. There are many Protestants of an humble class in the country.

804. Mr. Justice O'BRIEN.—If they were not to be married what was to be done?—We thought the modification should be made to admit others in the humble ranks of life.

805. Dr. TRAILL.—To go outside the day labourers?—Yes; there are various interpretations given of day labourers. The late Dean Brownlow of Ardreacan never signed one of the papers during the thirty-nine years of his incumbency, though many Protestants of an humble class were married. This was considered a great grievance, but he did not consider the strict conditions were in any case fully complied with. The first Chancery scheme was in 1836, and the next in 1855. Since 1855 there were only two applicants from this parish of Navan, and only one got the money. Mr. Charlton was a resident in this parish. As the general object of the will was to help forward Protestants of an humble class, it seems monstrous that since 1855, only two in the testator's own parish should obtain any benefit from his will.

806. Are there many Protestants of the poorer classes that could not be strictly denominated labourers if the extension were made?—There are a great many in Ardreacan, from time to time a good many here, but not of the strict agricultural class. That is felt to be a grievance.

807. The will does not say agricultural, but day labourers?—I think it strange that a Protestant gentleman would leave a bequest for the benefit of people married by the minister and that others should have all the profit of it.

Mr. Justice O'BRIEN.—There are benefits derived by others from the charity, the receiver gets £100 a year, and three solicitors get bills of costs.

808. Rev. Dr. MOLLOY.—You think the charity was intended entirely for the benefit of Protestants?—Yes. We do not approve of the marriage portion system as a rule. The bishop has stated the reasons, and I need say no more. I could quote many instances to show that it has not been advantageous.

809. Professor DOUGHERTY.—We had a different view presented yesterday from Longford—Longford has benefited more than we have. The Diocesan Council there think the marriage portions should be extended, and the surplus only given to educational purposes. I think if they considered it more fully they would come more into accordance with our views. There are more Protestants in Longford than in this district.

810. Rev. Dr. MOLLOY.—What is your opinion as to the amount of the marriage portion—£35. If the endowment were still to be applied to marriage portions, would you say the amount should be less or more?—I should say it was a reasonable amount, but I have known many abuses, although not in my own parish. In the only case I knew of last year there was a battle which of the two would have the money, and they, the husband and wife, wished to part of one. They were evidently stimulated to marriage by the prospect of the £35. I have heard of instances where the money was badly spent, and was of no permanent benefit. The master of the workhouse said to me some years ago that he thought the charity was a nuisance, and that it tended to fill the union with paupers. I do not, however, wish to speak of the surplus, but of our own cases. I do not think it beneficial to stimulate marriages in this artificial way, there are often disagreements in consequence in the case of Protestants, and I suppose with the others too.

811. What is your proposition 1.—The proposition agreed to by the Council was that as marriage portions had been diverted in other cases, as in the case of the Kinsey fund, they might be diverted here.

812. Lord Justice Fitzgerald.—That was done by consent of the governing body, and the new governing body are bound to apply the fund to advance girls of the same class. There is no doubt we can make the change.

Rev. Mr. Keene.—The general opinion seems to be that it would be better if we could further young people in life in other ways. In the Diocesan scheme there are a number of applications for educational purposes. We think this might come under the heads (a) or (f); apprenticeship fees seem to be getting out of date.

813. Mr. Justice O'BRIEN.—There are sometimes large fees required?—Yes, too large.

Lord Justice Fitzgerald.—There are two funds in Dublin, each limited to £10, and they add the two together, and give the two fees to the same pupil.

814. Mr. Justice O'BRIEN.—If you think the original object of Mr. Charlton was to promote marriage, and not the happiness and prosperity of people on his estate, would you contend that we should make such an alteration as to apply the whole fund for the promotion of education or would you confine that application to the surplus of the fund?—If it is to be retained for Protestant marriages the class should be extended. We think that, as a general rule, if any of the fund is left as marriage portions there would still be the incitation to fraud that we do not like. That is the general opinion of the clergy.

815. Rev. Dr. MOLLOY.—Do you propose that the administration of the endowment should be given to the Diocesan Board?—Yes.

816. Under the decree of 1877 the surplus fund is available for all denominations, and is practically given to Roman Catholics?—Yes.

817. After full provision has been made for all Pro-

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testament disbursements, qualified according to the founder's will, the surplus is equal to about one-half of the whole endowment, and under the Chancery decree the Roman Catholics of the two counties are actually receiving that surplus!—Yes.

818. If your proposal were adopted would it not involve withdrawing from them the half of the endowment they are now receiving?—Yes.

819. Do you contemplate giving any compensation to them for the loss of what they are receiving under the Chancery decree?—There has been a large transfer by the Commissioners of endowments that were only open to Protestants to the benefit of Roman Catholics.

820. Mr. Justice O'BRIEN.—Having gone out of the extravagance of the Protestant community by the scheme of 1877, do you want to travel back to extravagance?—We think it would be in accordance with the will of the founder. We have no doubt of it.

821. Rev. Dr. MOLLOY.—The decree of 1877 applies the endowment in the first instance to marriage portions for Protestants so far as there are Protestant claimants fulfilling the conditions?—Yes.

822. And it applies the surplus to give marriage portions to persons of the same class belonging to other denominations?—Yes.

823. Your proposition would involve withdrawing from the Roman Catholics the endowment which they receive as marriage portions under the decree in Chancery?—Yes.

824. You do not provide any compensation for the loss they would sustain?—That would be for the decision of the Commissioners.

825. Dr. TRAILL.—Is it a fact that under the Chancery scheme they don't get it at all if there are Protestants to be found?—Yes.

826. If they would not get it at all there should be no compensation?—No.

827. Would it be a reasonable extension if the scheme was made applicable for girls in the adjacent counties, the same as to boys at present?—Yes.

828. Would that introduce a large number?—Yes.

829. And would the Roman Catholic claims then be nothing?—Yes. We thought that the decision of Lord Chancellor Hall was a very strange one.

830. Professor DOUGHERTY.—Looking at the matter from a practical point of view, would you not be content to get the Protestant share of the endowment?—That is what we should wish.

831. Would you wish more?—We expect that.

832. Supposing that you had the choice of determining the application of that part of the endowment coming to Protestants by the decree, leaving the rest to be otherwise apportioned, would it satisfy you to leave the residue to the Roman Catholics?—No, we believe that it was intended for Protestants by the founder. It is a strange thing that the majority of the funds should be otherwise given. Last year £350 went to Roman Catholics, and £500 to Protestants, and we think that anomalies when it was a Protestant gentleman left the fund to those who were to be married by the clergyman. I don't think the scheme of Lord Chancellor Hall was watched on our side at the time. It seems strange that the girls should be confined to the two counties by the scheme when the men of all the adjoining counties were admitted.

Mr. Justice O'BRIEN.—It is an extraordinary thing to confine one sex to two counties.

Lord Justice FRYGIER.—The effect of it might be very extraordinary. You might have a number of eligible bachelors brought into Meath and Longford from the adjacent counties to compete for all the day labourers daughters from 15 to 40.

Mr. Justice O'BRIEN.—The scheme goes on the assumption that the men would come from adjoining counties into Meath and Longford.

833. Professor DOUGHERTY.—You referred to the Kinsey fund, that it is to be devoted to educational pur-

poses by a permissive clause. If a permissive clause were introduced for this Christian Charity would it satisfy you?—It would be the next best thing to that which we desire, but we should prefer an absolute diversion.

834. Rev. Dr. MOLLOY.—You don't think that the intentions of the testator should be carried out by putting the administration of the endowment into the hands of the Parliamentary representatives of Meath and Longford?—No.

835. Ven. Archbishop Nugent.—As to any change of the scheme for the advancement of girls in the way of education, Mr. Keene states clearly the views of the Diocesan Council. They would rather have the whole amount of the fund devoted to education, and not to the marriage portions. For eighteen years I had been at Belvederebeg, and I was curate of Kells. I may mention, as an example of the injury done to people and that it leads to immorality, only one case. A man came to me and asked me to sign the paper. He was ready to take his oath that he was under thirty years of age. I searched the parish books and could find no trace of his baptism, but I found that if his statement were correct he must have been born four years after his father was buried. That shows the tendency to falsehood that is created. We want the fund transferred to educational purposes, and whatever money should be given should be under the control of the Meath Board of Education.

836. Rev. Dr. MOLLOY.—You don't obtain the whole of the endowment for the Board of the Parochial Schools?—Whatever portion would be assigned to us by the Commissioners.

837. Have you considered what that portion should be?—No, we never considered the amount. It would depend on the conclusion the Commissioners came to.

838. Dr. TRAILL.—Would you be satisfied with two-thirds of the whole?—Yes.

Rev. Mr. Keene.—The Ardagh people think that they should get the bulk. I believe the property is more largely situate in Longford than in Meath.

839. Dr. TRAILL.—Would you be satisfied to let them have one-third?—Yes.

840. Lord Justice FRYGIER.—The estate in Longford produces £560 18s. 10d., and the three holdings in Meath produce the balance which is less than one-half.

Rev. Mr. Keene.—The matter is reversed in the will. He lived in Meath, and assigned two-thirds to this county. We think that the two-thirds should, strictly speaking, come to us.

841. Rev. Dr. MOLLOY.—Under the conditions of the will Meath was unable to qualify for half of the endowment. In the actual distribution of the fund what proportion has gone to Longford and what to Meath?

Rev. Mr. Keene.—We should allocate to each diocese that proportion which would correspond to what they qualified for.

842. Professor DOUGHERTY.—If you divide the fund, and if you insist on taking two-thirds, you must determine what area of the adjacent counties you are to take upon you. They cannot be got rid of.

Rev. Mr. Keene.—Meath and Longford only so concerned in the will of the testator. He had the property in the two counties, and they were charged by him.

843. Rev. Dr. MOLLOY.—Have you been able to claim in any year half of the endowment under the Chancery scheme?

Rev. Mr. Keene.—No. The fact of the matter was the Protestant population was above the class he wanted to increase. I don't think the advertisement of the distribution of the fund was sufficiently known in the country. It became a grazing country and tillage almost ceased. The Protestants were thus encouraged to emigrate. They had better hopes in America and elsewhere and went away. Other classes remained at home. The result is that it is a grazing country at present, and instead of day labourers being wanted there are more than can get employment already.

844. When he provided that two-thirds should go to Meath and one-third to Longford, he thought that the number of qualified claimants would absorb the whole of the fund. It was not so, and that provision practically fell into abeyance!—I don't know how it has dropped out.

Rev. John Healy, LL.D.

845. I am Incumbent of the parish of Kells. No one married in my church has got any portion of the fund, but one in an adjoining parish got it and it nearly killed him. He got £25 in hand and he began drinking and drank away until it was all gone. That is my experience.

847. Mr. Justice O'BRIEN.—That might happen, perhaps, to any man coming into property!—I suppose it might. We all find a difficulty in the definition of what a day labourer is. It is very hard when a poor artisan comes, who is undoubtedly a day labourer—as poor as any agricultural labourer in the country—that you cannot sign his certificate. There is a difference of opinion as to what a day labourer is; one says he is a person who is not his own master, another says he is to be an agricultural labourer.

848. Lord Justice FRYGIMSON.—“Journeyman” may be translated “day labourer”—“My opinion is that a man receiving daily wages is a day labourer, and I would give a certificate to him; but others would not.

849. Mr. Justice O'BRIEN.—I think the question is settled by the law—when a man comes on the table and swears he is a labourer you could not take him to be an artisan.

Rev. Dr. Healy.—Dr. Molloy thinks differently.

Mr. Justice O'BRIEN.—He is not a lawyer.

850. Lord Justice FRYGIMSON.—However the question has led to the exclusion of a man in one parish who would get in in another, and elements on the surplus get their certificates without difficulty.

Rev. Dr. Healy.—At present the clergymen set out in a very injudicious position to know who is a day labourer, and I think that question ought to be settled definitely.

851. Rev. Dr. Molloy.—It ought to be settled.

Rev. Dr. Healy.—On the subject of technical education I think there would be no difficulty in applying

845. Lord Justice FRYGIMSON.—The provision as to two-thirds and one-third assumes that the qualified class will get the whole. In case they do not, the adjacent counties come on, and the two-thirds and one-third can no longer prevail.

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some of the money in that direction. If a man leaves the money for a certain purpose it ought to have priority. Whatever views we may have as to marriage portions, and I agree as to the civil results, there were not the views of the man who left the money. I think after the marriage portions are satisfied, then, to benefit the same class, that the money would be very well spent indeed in providing technical education. There is nothing for the poorer people to do in the country, and the only resource is to let them emigrate. If there were a technical school it should be in a central place, and it should be a boarding school; otherwise you would not have enough Protestants in Meath.

852. Lord Justice FRYGIMSON.—You would have no chance of founding a new institution on £800 a year. It might be used for putting children into existing institutions.

Rev. Dr. Healy.—In my own parish we were trying in a small way to promote technical education, and we have been in correspondence with Mrs. Hart on the subject, but the expense stood in the way. We wish to take up the technical education of girls, and she would be willing to send a teacher for the higher branches of embroidery, but the expense would be too much.

Lord Justice FRYGIMSON.—The Christian Brothers in Kells started an industrial school there, but I am told they found it too costly—and it is closed.

853. Professor DOUGHERTY.—Have you a shirt factory in Mullingar at present?—I don't know. We used formerly to have a lace factory in Kells, principally through Lady Headfort's exertions, but it fell out of use after a while.

854. Rev. Dr. Molloy.—Then the “Kells embroidery” is not made in Kells?—Kells has nothing to do with it. It is technically named from the “Book of Kells.”

855. Professor DOUGHERTY.—How much did Mrs. Hart ask for sending a teacher to Kells?—£50 a year.

Patrick Smith sworn and examined.

856. Lord Justice FRYGIMSON.—You had a portion of the Charlton Estate at Curraneau, at £125 a year?—Yes.

857. Do you know anything of the working of the charity?—I do. I used to assist Mr. Courtenay in the distribution of it.

858. Was he the agent?—He was.

859. Was he Mr. Rend's predecessor?—No; one intervened between the two. Mr. Courtenay was nephew of Chief Justice Lefroy, and he used to attend here. He was the receiver.

860. Lord Justice FRYGIMSON.—When were you assisting Mr. Courtenay?—Up to about 1866.

861. Before the extinction of the fund?—Yes.

862. And the portions were only £5 16s. 6d. each in those days?—Only six guineas.

863. What have you to say as regards the working of it at that time?—To the best of my knowledge and belief I never knew a couple who were entitled to it, or duly qualified, who got it.

864. Those who got it were not qualified?—No. Up to 1834 the Catholics got it without any reservation.

865. How did they manage to get it?—There was no objection so far as I heard.

866. They must have produced some sort of certificate?—No. I heard that a family living in the neighbourhood of Curraneau, called Charlton, thought to make it appear that the testator was not sane at the

time he made his will, for he willed £5 to out of his head after his death.

867. Dr. TRAUB.—Not in this will?—The rumour was that it was a codicil. I saw a copy of it. This family of Charlton thought to make it appear that he was insane. That was about the year 1834.

[Rev. Mr. Woods handed in an old copy of the will and codicil.]

868. Lord Justice FRYGIMSON (reads).—“Testator, ‘Thomas Charlton, requests that after his body shall be interred in certain desk, six guineas be given to sever his head from his body, and that the executors ‘and trustees of this will do choose for their clerk or ‘registrar, Thomas Webster, of Trim, Esquire, upon his ‘honour, without oath, at a sum of 100 guineas a ‘year.” That is a postscript apparently unattested, and therefore probably does not appear in the probate.

869. Dr. TRAUB (to witness).—Did any one ever earn the six guineas?—I heard the head was severed from the body.

Lord Justice FRYGIMSON.—There was a very distinguished man who left directions that when he was put in his coffin it should be filled up with Portland cement, so as to make sure that he should not be buried alive. He was not mad, and similar clauses have often appeared.

870. Rev. Dr. Molloy.—You said you never knew any person really qualified to receive a marriage portion?—Up to the time I speak of.

Patrick Smith.

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Patrick
Smith.

871. In what respect did they fail?—They were farmers, not agricultural labourers in Meath. They were generally artisans, or gamekeepers, or policemen, or soldiers, and not day labourers of the agricultural labourers' class, or of the right age.

872. Dr. TRAILL.—You assisted Mr. Courtney in finding them?—Not in finding them, but in distributing the money.

873. Did you give him the local information?—No, that did not come in my business.

874. In what way did you pay the money?—In paying the money it was not his duty to reject any one, except they were not the proper parties.

875. Did he not ask advice from you as a local person?—I only used to assist him as clerk.

876. Lord Justice FRINGHAM.—You say that up to 1884 you acted for him, and that people got money without producing certificates of marriage?—No, but that Catholics got it up to that year.

877. That appears very likely to have been the case, for the first decree of Chancery was on November 29, 1884, and the proceedings commenced on June 27, 1885. By the decree it was for the first time provided that forms of certificates should be settled by the Master of the Court, and that they should be produced in all cases. Then proceedings may have been taken because there was loose work going on. From that on how did the people get the money?—No Catholics got it from that time until the decree of 1877.

878. You said that the people who did get it were not qualified?—They were not.

879. How did they get the certificates?—According to the benevolence of the clergyman who married them.

880. Some were more benevolent than others?—Yes. So far as I have heard the testator intended it for agricultural labourers. He used to keep a piper to play for them.

881. Mr. Justice O'BRYEN.—It appears he was unusually inclined, because he speaks in his will of his organ?—The organ was in this town at one time in the Roman Catholic chapel.

882. (To Rev. Mr. Woods).—From whom did you obtain this copy of the will?

Rev. Mr. Woods.—From a grandson of the steward to the testator.

883. Lord Justice FRINGHAM (to witness).—From your experience as a man acquainted with the county, is this fund at present of any use?—If I might venture an opinion, the good that existed in Trim is about to be turned into an industrial school, and I would put the fund to that purpose.

884. Then you don't think it is useful as it is?—No.

885. Dr. TRAILL.—You think it would be more useful for industrial schools than its present purpose?—Yes, it is so uncertain, and so much disappointment is caused by it, and then there is all the expense.

886. Lord Justice FRINGHAM.—What do you mean by saying it is uncertain?—On a former distribution a couple were encouraged to get married, and it was only 15s. in the end they got.

887. Professor DOUGHERTY.—That does not lead to happy results afterwards?—It leads to disappointments.

888. Lord Justice FRINGHAM.—You say it leads to expense?—They may come a long distance, pay the railway fare, and spend their money, so that nearly all is gone when they get home.

889. Then you don't think the money that is divided

in uncertain slaves is doing much good?—I think it is trifling at the best.

890. Mr. Justice O'BRYEN.—Supporting a fixed sum was applied to each person—say £20 or £25—would you still retain your opinion that it is undesirable to keep the charity in its present use?—They should carry out the intention of the testator on that point in my mind, and if I could get short of that question, I certainly would fix the sum to be distributed to encourage the labouring class to get married.

891. Professor DOUGHERTY.—Do you think they have any special need of encouragement in that direction?—Yes. I may state that the testator was unmarried. It is generally supposed that he was of the neuter gender.

892. Dr. TRAILL.—What is your opinion of being married in the presence of the minister and churchwardens?—I don't think he had the least notion of distinctions, because he had all Catholics about him. I think it was a technical mistake.

893. You don't think he meant Protestants?—No, he had no Protestants about him.

894. How do you know?—From hearsay.

895. Didn't he die in 1792?—Yes.

896. Rev. Dr. MOLLOY.—Up to 1834 you say the Catholics got these portions?—There was no distinction.

897. How did they qualify?—By getting married.

898. They were not asked to produce any certificate signed by the Protestant minister?—No, a Catholic clergyman's certificate qualified them.

899. Dr. TRAILL.—That was enough. At the time you refer to, when the Catholics got it, was the thing irregularly managed?—I did not say so.

900. Lord Justice FRINGHAM.—Who managed it before 1836?—It was managed by the High Sheriff and Members of Parliament.

901. Did they ever look after it?—They appointed a receiver, and he managed it.

902. Dr. TRAILL.—When did Mr. Courtney begin to be receiver?—About 1838. He was not exactly receiver. That was Mr. Ancheruty. He was the solicitor.

903. Who had the management in 1834—or who was the receiver?—I could not say.

904. You did not assist any one before Mr. Courtney?—No.

905. Lord Justice FRINGHAM.—Who was the further back that you remember distributing the money?—Mr. James Ancheruty.

906. He was appointed by the High Sheriff and Members of Parliament?—Yes.

907. Then it came into Chancery?—Yes.

908. And from that out, getting the money depended on the benevolence of the clergyman?—Yes.

909. But before that on the benevolence of the Members of Parliament?—You may be right.

910. Mr. Justice O'BRYEN.—No certificates were required?—No.

911. Lord Justice FRINGHAM.—The old Act of Parliament and the will required certificates?—Yes.

912. Dr. TRAILL.—Did you ever see certificates before 1836?—No, but I knew Catholics that got them.

913. Did they get them from the clergyman or the parish priest?—The Catholic clergy.

914. They did not get them from the clergyman and the churchwardens of the parish?—I believe that was a technical error.

915. What were the certificates they got?—The Roman Catholic clergyman's certificate.

Rev. M. Woods examined.

916. Lord Justice FRINGHAM.—Perhaps you can give us a statement as to your experience of the working of the charity?—Yes, I can give you some facts.

917. Do you speak for the bishop, Dr. Nulty?—No, the bishop has not given any opinion.

918. Then you will give your own opinion?—I do not agree with Mr. Keene that the result of the working of the scheme is to increase pauperism. I do not know a single child in the workhouse the result of the marriages. I think on the contrary, the charity has helped young couples to start in life. I

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asked some people who got this money what they did with it and they told me they would buy beds or furniture with it. Some put it by but certainly it is a help to these poor people. Of course some do little with it.

919. Mr. Justice FITZGERSON.—Are you satisfied in Navan?—Yes.

920. Are there many people here who receive this fund?—A great many.

921. Have you been many years here?—Ten years.

922. Lord Justice FITZGERSON.—Can you tell your experience of the utilization of the fund?—The money runs from £13 or £14 to £1, but generally they get from £3 3s. to £7 10s. £7 10s. is a boon to a labourer starting life. Education is an Imperial question, and the educational wards will be sufficiently provided for by the Government, and this is a matter that does good to the people about here. It requires very much to be safe guarded. It is much exposed to abuse. People have no scruple in the world in falsifying their age, or as to making a statutory declaration. There is a provision in the last scheme that might be abolished, that is, allowing two householders to sign the certificate instead of the clergyman. I find, as a general rule, that when we refuse to sign the certificate, they go to two shopkeepers and get it done. I have known two J.P.'s to sign a certificate, and the parties get the bequest upon their certificate in a case that had been refused by me. In this parish and round about it there are a great number of bona fide applicants who have got the money, and it has done them good.

923. You need not give names but you may mention any other cases?—The first was a Catholic, married to a Catholic, whose mother was a Protestant, and he got £25 through the intervention of his wife's uncle, who was a Protestant. His father was a cattle dealer in a small way, and his wife's father was a coach builder.

924. How much did he get?—£25.

925. Was that from the surplus money?—No.

926. Rev. Dr. MOLLOY.—How did he get the £25? Had he to produce a certificate?—I could not say.

927. Professor DUFFIN.—Was he married as a Catholic?—Yes, in my church on April 27, 1879.

928. Lord Justice FITZGERSON.—We were told in Dublin, without giving particulars, that there were cases in which Protestant clergymen being interested in the man or woman had attended at Roman Catholic marriages and given certificates?—We would not perform the marriage under the circumstances, if he attended otherwise than as a mere spectator.

929. Dr. TRAILL.—I think it was a very loose statement of Mr. Gerson's. You are not aware of such a case?—I never heard of it.

Dr. TRAILL.—I don't think there is any truth in it.

930. Lord Justice FITZGERSON.—Do you know how, in this case you speak of, the man got the money, being married in a Catholic church?—I don't know.

931. You mentioned that as a case of abuse?—It does not come under the provisions of the will.

932. Dr. TRAILL.—What was the abuse?—That he was not a labourer's son.

933. Lord Justice FITZGERSON.—And that there was a false certificate?—Yes. In the next case the marriage took place on February 19, 1882, and the man got £1 15s. I had refused to sign the certificate for the man on the ground that he was over thirty years of age. I was sure of that. The paper was signed by two respectable men in the town afterwards, and he got the money.

934. Dr. TRAILL.—Did he marry on the strength of the 33a?—He thought he would get more. On October 3, 1884, I married a man who got five guineas. He was a widower and I thought he was over sixty years of age. I refused to sign a certificate, but he got it signed by two "respectable householders" and another gentleman in the neighbourhood. The

next case was on June 7, 1886, the priest who married the couple refused to sign the certificate for the man on the same grounds, but he got it also. The next man was not an agricultural labourer, or any labour, but a dealer.

935. What year was that?—On February 18, 1887. His certificate was signed by two householders also. The next man was married in 1889 and got £7 15s. he appeared to me to be a good deal over age. His certificate was signed by two J.P.'s.

936. Mr. Justice O'BRIEN.—Was that certificate merely a certificate of character, or as to the condition of age?—That he is in every respect entitled. The form embraces both the conditions and the age.

937. Lord Justice FITZGERSON.—He must himself make a statutory declaration as to age, and it is a misdemeanour to make a false declaration.

Rev. Mr. Weeks.—A man came to me with one, and I sent him away. There are three cases I am aware of where the fathers were not agricultural labourers and the parties got the £25. One of the fathers was a bard, and another was a process server.

938. Lord Justice FITZGERSON.—You have been applied to for certificates?—Yes, frequently.

939. What interpretation have you for day labourers?—I always thought any unskilled labourer entitled.

940. Would you exclude a builder's labourer?—I would not.

941. You don't hold it confined to agricultural labourers?—By no means.

942. Would you call a postman a day labourer?—If his occupation was not permanent, and he was liable to be discharged.

943. Is the expression so loose that you would open it to a postman?—I think so.

944. Dr. TRAILL.—You require a man to work with his own hands?—Yes.

945. Lord Justice FITZGERSON.—Would you refuse it in the case of an artisan?—I signed a certificate for a man who was a bad kind of workman.

946. A handy man?—Yes, he was that.

947. The definition leads to difficulties among your people as well as on the other side?—It does. I would suggest that a definition should be clearly drawn out and printed on the back both of the application forms and certificates, for a great many among us have never seen the scheme. I was a long time here before I could get a copy of it. At last I did, but a great many did not know it. If the definition were printed on the backs of the certificates and forms of application it would facilitate us a great deal when we could point it out. When a poor man gets married he does not know why we should not sign the certificate.

948. Whether would it be better if the surplus were given in portions of fixed amount to selected people, or given in varying sums as now?—I would make a minimum. I would not allow it below a certain sum.

949. What sum would you think to be of substantial use?—I would say five guineas.

950. It is rather a low minimum?—Yes.

951. In Palmer's charity the sum named in the will was £10, and they raised it £30, and the clergyman selected the best five to whom to give the £100 a year?—I think a fixed sum would be better if the best applicants were to be selected.

952. Rev. Dr. MOLLOY.—Does any inconvenience arise by reason of the parties being married first, and their qualification considered afterwards. In Rush the portions are allotted first, and then the parties get married. Here the parties get married without knowing what they are to receive. They might expect £5 or £10, and get 30s. If an arrangement were made by which there should be only a certain number of claims allowed, and a fixed sum allotted to each, on the condition of the parties being afterwards married, would that be a better system?—I think it would not be practicable.

953. Dr. TRAILL.—In Rush some parties took off engagements when they found they were not to get

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Woods.

the money?—I don't think many got married here to get the money.

954. Mr. Justice O'BRIEN.—Have you found any instance, like what Mr. Keene has mentioned, of the husband and wife quarrelling on account of the money?—I don't recollect any case at present.

955. Dr. TRAILL.—Do you think that this charity was intended to be open to Roman Catholics by the donor?—That is a legal question.

956. Without going into the legal question what would you say?—The Catholic Church had no legal existence at that time, and a bequest left to the Catholics would be void.

957. Do you think that "minister and churchwardens" should include "parish priest"?—All Mr. Charlton's servants, as I understand, were Catholics at the time.

958. How do you know that—he died in 1792, you know?—He distinctly says any day labourer's son or daughter. He does not say Protestant. They had to sanction a great many things at that time we do not now.

959. Mr. Justice O'BRIEN.—Can you produce or give information concerning specific instances where the fund has been of service, without going into detail—is it your general experience, except in those cases you mention, that the distribution has been beneficial?—It has been, decidedly, among the class I speak of.

960. Lord Justice FITZGERALD.—Are there any very large number of bona fide day labourers' children married here?—We have a great number every year.

961. It is only the parents who are to be day labourers?—As a general rule the children are the same as the parents. There are exceptional cases.

962. You think it was the testator's intention to benefit the class of day labourers?—I would think so. I think it was to help the newly married couple.

963. Mr. Justice O'BRIEN.—I would think it was the ordinary charitable bequest to help young people after their marriage to furnish their houses and advance them in the ordinary way?—The people who get married are servant boys and servant girls, and they are hard up to get furniture for their houses. If there was a resident acting trustee both in Meath and Longford it would be a good thing.

Mr. Justice O'BRIEN.—It did occur to me that the duty imposed on the clerk of keeping a list of day labourers meant that it was to keep a list not of any particular denomination.

964. Lord Justice FITZGERALD.—Have you any further information?—In regard to the scheme of 1877 an injustice is done to the Catholics. I know that a great number of Protestants have got the portions every year who are not entitled to it—tradesmen and small farmers. Thus there is an injustice done.

965. They lessen the surplus?—They do.

966. Dr. TRAILL.—The evidence before us yesterday

by the Solicitor was that he investigated every claim, and put a note to the cases; all were rejected who were not qualified?—He does not know. He goes on the evidence that is given to him. Cases slip through. They only need for the certificate when there is a case of suspicion.

967. Rev. Dr. MEEHAN.—Generally you think that the endowment might be applied with advantage to its present purpose if guarded from abuse?—Precisely.

968. Professor DONOHUE.—Would you see any objection to the Protestant share of the endowment being devoted to educational purposes?—Certainly not.

969. You would not object to that?—I think there are not Protestant labourers enough to get sufficient of the fund.

970. Lord Justice FITZGERALD.—There has been no year since 1877 that there has not been a surplus. It might be better to make a kind of average, and then let the Protestant share be devoted as they think best, and your share as you think right. The Roman Catholics were admitted only because there were not Protestants enough to claim the grant.

Rev. Mr. Woods.—The people have to pay 2s. 6d. for the farms. That is a very large sum for a labourer to pay.

971. Mr. Justice O'BRIEN.—To whom do they pay that?—To Mr. Bond. He will not supply the farm without that. It is a good deal. I think if they sent a stamped envelope the people ought to get the thing free. The first application I made was on behalf of a poor man. I wrote to Mr. Bond without sending the half-crown, and he wrote me a sharp letter in reply, that a man in any position ought to know better.

972. Lord Justice FITZGERALD.—The scheme provides that the form of declaration shall be kept printed by the receiver, who shall issue copies when applied for. It says nothing about 2s. 6d.

Rev. Mr. Woods.—I know Mr. Bond gave me a severe lecture.

973. Lord Justice FITZGERALD.—It was mentioned by Mr. Gorman that there was a charge of 2s. 6d., but I understood that was for the stamp on the statutory declaration.

Rev. Mr. Keene.—It is charged to all. All must pay it.

974. Dr. TRAILL.—Do the Protestants pay it too?—Yes. I think that is a reasonable objection.

975. Lord Justice FITZGERALD.—It must be mentioned. Mr. Gorman mentioned it; may be it is to get the certificate of baptism, &c.

Rev. Mr. Woods.—They have to pay for them too.

Lord Justice FITZGERALD.—This charity is intended for day labourers sons and daughters, and if there are any belonging to that class present who would wish to say anything about it we will now hear them.

Mathew Keegan sworn and examined.

Mathew
Keegan.

976. Lord Justice FITZGERALD.—Did you get this Charlton money?—No.

977. Then what do you want to tell about it?—I wrote for the farms and got them, and I sent them back and got no answer.

978. Mr. Justice O'BRIEN.—How long ago?—Seven years ago.

979. Rev. Dr. MEEHAN.—Did you fill up the form?—Yes, and sent it back.

980. And they did not send you the money?—No.

981. Lord Justice FITZGERALD.—What part of the country do you come from?—Outside the town.

982. What was your father?—A labourer. I was only ten months old when my father died.

983. Where was he working at the time he died?—With Mr. Hilliard.

984. As a labourer?—Yes.

985. What was Mr. Hilliard?—A farmer.

986. You got married?—Yes.

987. What was your wife's father?—A labourer.

988. Where did he labour?—In Kells.

989. Did you put all that in the paper?—Yes.

990. How long ago is it since you were married?—Seven years.

991. How old are you now?—Going on thirty.

992. Were you older or younger than your wife?—I never asked her age.

993. Then I am afraid you hardly made out your case

Did you go to the clergyman for a certificate?—I did, to Father Woods.

994. Did he give it to you?—He did.

995. You never inquired why you did not get an answer?—No, my name was not in the paper.

996. You sent in the proper application and got no money?—No.

Rev. Mr. Woods.—I signed the marriage certificate.

997. Dr. TRAILL.—Who signed your certificate for the distribution of the money?—I think Mr. Roberts.

998. What age was your wife?—Thirty.

999. What age did you put down?—I just changed it at that.

1000. Is she older than you?—I think she is. I could not say.

April 15, 1890.

Matthew Rogers.

William M'Mahan sworn and examined.

1001. Lord Justice FITZGERSON.—Were you an applicant for the fund?—I was an applicant, but I did not receive it.

1002. In what year did you apply?—In 1887.

1003. What was your father?—A labourer.

1004. Where?—In Navan town.

1005. Who did he labour with?—With everybody that liked to employ him.

1006. He did not labour for farmers if he worked in Navan?—Yes, when he could get work with them he did.

1007. What was your wife?—The daughter of a labourer.

1008. What was your position when you applied?—A labourer.

1009. What did you do?—At first I applied to Mr. William Bond at Longford, and I sent him 2s. 6d. in stamps, bring 1d. for the carriage back of the form. I filled up the form, and got it signed by Mr. Fitzherbert. I got the marriage certificate, and sent them both away and never received an answer. My name did not appear on the list. I applied afterwards to Father Woods, and he gave a letter specifying that I was competent for the fund, and I received no reply to his letter either. I sent also a stamped envelope, and received neither.

1010. Rev. Dr. MOLLOY.—To whom did you make this application?—To Mr. Bond. In fact I wrote both to him and to Mr. Johnston the solicitor to Mr. Bond.

1011. Have you any reasons to suppose that your qualifications were not good?—I have not.

1012. Dr. TRAILL.—What is your age?—My age now is 31, my wife's age is 24.

1013. When were you married?—On July 28, 1887.

1014. Mr. Justice O'BRIEN.—Were you in the army?—I was.

1015. Rev. Dr. MOLLOY.—You wish to bring before us that having been properly qualified, and having applied in the proper form, you got no portion?—That is so.

1016. Lord Justice FITZGERSON.—You went to trouble and expense in the matter and got no satisfaction?—Quite correct.

1017. There is a meeting advertised at which people are to attend every year to receive the money. Did you attend?—The list of the applicants is published in the daily papers, warning the people to attend at a place for the distribution of the money, and I saw no name to come near mine, except that of a man named M'Mahan from Kells. I wrote to Mr. Bond to see if the christian name in that case was right; and he wrote saying the money was not intended for me.

1018. Besides your own case have you known any other cases where people were disappointed at not getting the money?—There are one or two people in Navan.

1019. Rev. Dr. MOLLOY.—Perhaps that is the rule they follow—that they don't send any answer to the people who are refused, but only to those who are approved?—Any person approved of gets notice in the daily papers.

1020. And the others got no notice?—None.

1021. Dr. TRAILL.—Were you an applicant for the £50, or for the surplus?—For the surplus.

1022. Mr. Justice O'BRIEN.—Were you described in the paper as the son of a labourer?—Yes.

1023. Lord Justice FITZGERSON.—The upshot is that there ought to be an opportunity on which the list would be settled, and people would know whether they were to get the money or not?—Yes.

1024. Mr. Justice O'BRIEN.—Did you ever see Mr. Bond?—No, I took it for granted when he did not answer my letter that my claim was not approved.

1025. (To Rev. Mr. Woods).—Have you any recollection of this particular case?—No, I remember the man.

1026. There is disappointment in this case?—Yes.

1027. Dr. TRAILL (to witness).—Who was the certificate signed by?—By Mr. Fitzherbert, J.P., and the clergyman who married me.

1028. Lord Justice FITZGERSON.—Do you know many of your friends who got the money?—Yes, I know two or three tradesmen who got £25 each.

1029. What were their fathers?—Their fathers were tradesmen.

1030. Dr. TRAILL.—What sort of tradesmen?—One was a stone-cutter.

1031. Would he work for weekly wages?—No, permanent wages.

1032. What wages would he get?—From 35s. to £2 a week.

1033. The father or son?—Both father and son.

1034. What was the name of the stone-cutter?—Bennor.

1035. Lord Justice FITZGERSON.—I think one of the questions in Chancery was whether a stone-cutter was a day labourer.

Rev. Mr. Keene.—I know this case. It seems that the certificate was signed by a *fewer* *tenes* who knew nothing about the case, and, perhaps, some misstatements were made to him. We would refuse to give certificates to stone-cutters. I thought this a great abuse. The man left his wife and acted dishonestly.

1036. Rev. Dr. MOLLOY.—A man who is cutting stones may be doing so for daily wages.

Rev. Mr. Keene.—The parish clergyman was ill at the time, and a *fewer* *tenes* was acting for him, and he formed his opinion on the case from what was told him.

1037. Lord Justice FITZGERSON.—You will find it hard to make a distinction—breaking stones and cutting stones—and what are you to say of a quarryman—surely he might be a day labourer.

1038. Rev. Dr. MOLLOY (to witness).—You say you made a proper application in proper form—that you were qualified and paid 2s. 6d. and postage in addition and got nothing?—Yes. The paper should have been sent back to be corrected if there was anything wrong.

1039. Mr. Justice O'BRIEN.—Why did you get Mr. Fitzherbert to sign it?—I requested him to look over it, and see that it was correct, and he told me so far as he thought it was correct.

1040. Did he sign it?—Yes.

1041. Who did you make the statutory declaration before?—Mr. Fitzherbert.

William M'Mahan.

April 13, 1888.

James Griffin sworn and examined.

James Griffin.

1042. Lord Justice Fitzgerald.—Did you get the Charlemont money?—No.

1043. Did you apply for it?—I did. I applied in 1882 for it, and I never got any amount of it at all.

1044. Had you to pay 2s. 6d.?—Yes.

1045. Did you get any answer?—Not till about six months ago, when I directed a letter to Mr. Bond, and I got an answer that I had not put in a claim in the year I was married, and that it was of no use afterwards. I got the form filled up according to the order, and sent the amount of 2s. 6d. in stamps, but got no answer, and I went to inquire six months ago about it.

1046. Rev. Dr. Molloy.—What was the answer you say you got back?—That when I did not put in a claim in the year I was married it was of no use, but I did put in a claim the year I was married.

1047. Lord Justice Fitzgerald.—How many years did you live by?—About seven.

1048. Mr. Justice O'Brien.—Had you made the application in the year you were married?—Yes.

1049. Dr. Traill.—What age were you at that time?—About twenty-six or twenty-seven.

1050. What age was your wife?—I could not say.

1051. What did you put on the paper?—About the same age.

1052. Lord Justice Fitzgerald.—Did you "chance" the wife's age?—I had not my mind made up.

1053. Mr. Justice O'Brien.—Do you know that you made a statement under oath that she was of a certain age?—Yes, I know I put that in.

1054. Lord Justice Fitzgerald.—How did you know what to put in?—I got a form.

1055. The form would not tell your wife's age. Where had your father been inhering?—He inherited with Mr. Casey for twenty years.

1056. What was Mr. Casey?—A farmer.

1057. What was your wife's father?—A man driving cars.

Lord Justice Fitzgerald.—Maybe you were refused because your wife's father was a carman.

Rev. Dr. Molloy.—We have a case here where the father was a car-driver, and where the claim was refused.

Lord Justice Fitzgerald.—This must be a different case of the same kind.

1058. Dr. Traill (to witness).—Had he a car of his own?—No, he would work for any one who would employ him.

1059. Dr. Traill.—Where cars did he drive?—Mr. Moran's was the first I knew him.

1060. From the hotel?—Yes.

1061. And he was employed by him at so much a week?—Whatever he would get.

1062. Where did you live when you sent in the claim?—In the town of Navan.

Michael Carr sworn and examined.

Michael Carr.

1063. Lord Justice Fitzgerald.—You applied for a portion of the endowment?—I did.

1064. How much did you get?—Three guineas.

1065. Was it of use to you?—Yes.

1066. You think it a good institution for people to get portions from?—Yes, if they turn it to good use.

1067. You would like more?—Yes, if I could get it.

1068. Professor Douglass.—What did you do with the money you got?—I bought two pigs with it.

1069. Rev. Dr. Molloy.—You have no fault to find with the management except that they did not give you enough?—If they gave me three guineas more I could get two more pigs. When it is turned to a good purpose it is very good money, but there is too much given to others.

1070. Is it generally turned to good account?—Yes, the Catholics put it to a good use.

1071. Dr. Traill.—Do you object to the Protestants getting the £35?—Quite so. There was nothing in the will that they were to receive anything more than others. There was no distinction made.

1072. When was that made—that it was to be without distinction?—When he died he made no distinction between Protestants and Catholics.

1073. He says in his will the marriage must be performed in the presence of the minister and churchwardens of the parish. What do you think of that?—I know nothing about that.

1074. The Catholics were to get nothing?—I got three guineas, and ever since I got it I had the height of luck.

1075. And if you had three guineas more you would have more luck?—Yes.

Lawrence Caffrey sworn and examined.

Lawrence Caffrey.

1076. Lord Justice Fitzgerald.—Did you get the money?—No; but I put in an application about eleven years ago.

1077. How old are you now?—I suppose about thirty-seven.

1078. What age was the wife when you married?—About eighteen.

1079. Did you get any answer?—No; I got the form and filled them, and I sent them back, and got no answer.

1080. You had to pay 2s. 6d.?—Yes.

1081. Rev. Dr. Molloy.—What was your father?—A ploughman with Mr. Wilkinson, of Clontarf.

1082. And your wife's father?—He was a labourer.

1083. Then, so far as you know, you were properly qualified and made the application in proper form, and received no portion?—No.

1084. Dr. Traill.—Was it to Mr. Bond you applied and sent the 2s. 6d.?—Yes. It was Mr. Berrill that signed the application.

Edward Smith sworn and examined.

Edward Smith.

1085. Lord Justice Fitzgerald.—Did you apply?—I applied.

1086. Did you get the portion?—No.

1087. In what year did you apply?—In 1884.

1088. Did you get any answer?—No answer. I went through the full form, and sent them back with 2s. 6d. in stamps on it, and registered it, and it came

to 2s. on me. I was married on May 13, 1884. I was sent to four months after for a certificate of baptism, and that was sent, but I never heard a word of it since.

We will look up the lists, and try to prevent any mistakes in future.

Mary Kelly sworn and examined.

April 31, 1890.

Mary Kelly.

1083. Lord Justice Fitzgerald.—(Looking at marriage certificate handed in by witness).—You seem to have been married in 1884?—It was in 1883. It was dated wrong.

1090. Did you apply at that time?—I never looked after the money. I had no means to look after it.

1091. Is your husband alive?—Yes.

1092. Your application was late?—No; it is only five years ago.

1093. Rev. Dr. Molloy.—Why did you not apply at the proper time? Did you know of the fund?—I did. I was told to send the stamps, and I had no means.

1094. Lord Justice Fitzgerald.—I am afraid we cannot do anything for you now, Mrs. Kelly.

Rev. Mr. Keene.—There seems a general impression among the people that even after twenty years they can get the money. They have a false idea here that if they were married twenty years they could still get a certificate, and get the money.

1095. Lord Justice Fitzgerald.—This evidence is useful for us, for it shows the weak points in the present system. There ought to be a system under which the people should be heard. The rule is—

"No application for a marriage portion or additional portion under the scheme shall be entertained unless furnished to the Receiver within twelve months from the date of the marriage."

That is a very necessary provision, but it is quite another matter that the people should not be informed how their claims are disposed of.

Mrs. Margaret Martin sworn and examined.

Mrs. Margaret Martin.

1096. Rev. Dr. Molloy.—What was your husband's father?—A labourer.

1097. Lord Justice Fitzgerald.—And your own father?—A labourer. He lived in Duleek. I was married in 1870, and I put in the application in 1873.

1098. Are you a Protestant or Catholic?—A Catholic.

1099. And you applied for whatever you were entitled to get?—Yes.

1100. Have you any idea why you did not get it?—No. When we had the certificate signed by a Justice of the Peace, and the doctor of the district, and I had my parish priest's name, I thought it should do.

1101. Mr. Justice O'Brien.—Wait yourself or your husband who sent in the application?—It was my husband.

1102. Dr. Traill.—Did you hear of any of your neighbours getting the money in that year?—I did hear tell of it.

James Gorman sworn and examined.

James Gorman.

1103. Lord Justice Fitzgerald.—Did you apply for the Charlton money?—I did, in 1883.

1104. Did you get it?—No.

1105. What was the reason you did not get it?—I wrote for the forms and got no answer.

1106. When were you married?—On June 2, 1887.

1107. Did you pay 3s. 6d.?—I did not. I only sent for the forms.

1108. Did you get them?—No.

1109. Rev. Dr. Molloy.—To whom did you send for the forms?—I got them written for. This man I got to write knew the rules, so he got the money himself before.

1110. Who was he?—William Lee, and he said he got no answer.

1111. Did you post the letter?—I posted it.

1112. Did you give the address to which the answer was to be sent?—Yes.

1113. What was the address?—To Duleek.

1114. William Lee.—When writing for the portion for myself I had to pay a 2s. 6d. stamp for the form, and I expected this man would do the same.

1115. Dr. Traill.—Did you get the money?—I got 33s. in 1883.

1116. Lord Justice Fitzgerald.—Was it worth all the trouble of writing to get the 33s.?—It was not.

George Leakey sworn and examined.

George Leakey.

1117. Lord Justice Fitzgerald.—Were you an applicant?—I got the money in 1885.

1118. How much?—£5 5s.

1119. Have you any complaint to make in regard to the working of the fund?—Yes. I think it is strange that a man belonging to the Protestant Church can receive £25—the son of a tradesman, and a tradesman himself, and his wife the daughter of a farmer, when I received £5 5s.

1120. Is that the same case that we have heard of already?—Yes. The man married in Stackallen. He was a stonecutter or stonecrafter.

1121. Dr. Traill.—Do you think he was not a day labourer's son?—I don't suppose he would receive from 30s. to £2 a week if he was. I don't suppose a farmer in Ireland would pay that.

1122. Who was he employed by?—By Mr. Petticrew, in Ardara.

1123. You are aware that Mr. Charlton left the money to the Protestants in the first instance, and

that the only reason you got the money was that there were not sufficient Protestants to claim the whole fund?—I was of opinion there was no distinction.

1124. Well, the only reason you got it at all was that there were not Protestants to get it; and if you got five guineas you ought not to grudge the £25 to the Protestants, and you ought to know that publicly?—He made no distinction in his will, so far as I heard in read here, to give it to the Protestants.

1125. The parties must be married in the presence of the Protestant clergyman and the churchwardens?—Is that the correct wording of the will?

1126. Yes; and you are getting a large boon for the reason that there are not enough Protestants claimants?—They are breaking the will by giving the money to tradesmen, and I think it should be divided equally.

1127. Lord Justice Fitzgerald.—You complain that the surplus is lessened both by admitting tradesmen, and by the increase of the portions from the six guineas fixed by the will to £25.

John Reilly sworn and examined.

April 12, 1884

John
Reilly.

1128. Lord Justice Fitzgerald.—Did you get any of this money?—I got no money.

1129. In what year were you married?—In 1883.

1130. How did it happen you did not get it?—I wrote to Mr. Bond, and he told me I was not entitled to it—that I should put in my claim within a year of the marriage. I was four months late before I heard of the portion. I wrote for the same, and he wrote to me stating that I was entitled to the money. I wrote again, and he sent back an answer to send for the same, and to send 2s. 6d. in stamps. He sent me the same, and got them back.

1131. Did you send the 2s. 6d.?—Yes.

1132. After he told you you were late he sent you a form, and you paid 2s. 6d., and filled it up, and you did not get the form back?—Yes, that is so.

1133. Rev. Dr. Maglor.—Was your father a day labourer?—Yes.

1134. Dr. Traill.—Have you got the letters?—No.

1135. You did not keep them?—No.

1136. In what month did you make the application?—In September.

1137. Lord Justice Fitzgerald.—The reason why we have heard all these cases is, not that we have any power to go back on anything done wrong in the past, but to see what changes ought to be made in the future. We have heard a good many instances to show that it would be advisable that, if we should keep the fund for portions, the people should know how their applications were dealt with. The testator intended this money to go, in portions of £5 6s. each, to people married in the persons of the clergy and churchwardens of his own parishes. There were not enough Protestants to claim the fund, and the complaint made is that certain persons should get different amounts from others, and more than the testator fixed, and also that the others get only precarious sums. It is hard to go back now upon what has been done, but we will take the whole case into consideration, and do what we can to provide that in whatever way the fund is administered there shall be as little abuse as possible. We must give

great attention to the views of the clergymen on both sides, and to the difficulties of the proofs. A great deal can be done in simplifying the procedure, preventing frauds, and avoiding poor people being put to expense and then disappointed. An important matter I should mention is that the County Longford is interested in the Charities chiefly as well as Meath is, and we have heard from the Protestant and Roman Catholic Bishops and from others requests for an opportunity of stating their views on the matter. We must appoint an early day to go to Longford to hear the same class of evidence that we have heard here to-day, but I hope the Longford people will understand that we have no power to reopen decisions on claims made by people married years ago. We can deal only with the future management of the fund. We will fix a day as soon as Mr. Justice O'Brien and I can arrange to go to Longford.

Adjourned.

THE CHETWODE AND STEARNS CHARITY.

Ven. Archbishop Nugent examined.

Ven.
Archbishop
Nugent.

1138. Lord Justice Fitzgerald.—We had evidence submitted to us yesterday from Mr. Graves to the effect that this fund has been accumulating. How do you want it applied so as to go as nearly as possible according to the wishes of the testator?—The accumulation is very small, and the thing is working exceedingly well under the programme drawn up by the Vice-Chancellor. We want a qualifying examination, and to let the fees be £25 as a maximum, varying with the answering of the candidates. Sometimes they go as low as £10. The only thing we want is power to apply it according to the rules of the Meath Diocesan scheme. For example, it sometimes happens that tradesmen do not want indentures, and we want a little elasticity in that direction. We are anxious to put boys to Kildare-place Training College and to pay for their training there as teachers—not to make them all apprentices.

1139. You want to extend the fund to other things besides trades, &c.?—Yes.

1140. Who are the trustees?—The Bishop of Meath and the Rector of Ardbraccan for the time being.

1141. Do you want any alteration in the trustees?—No; we only want more elasticity in the way of application.

1142. You don't want the fund put under the Meath Diocesan Board?—No, we wish to keep it under the same trustees.

1143. Professor DOUGHERTY.—Has Mr. Keene anything to do with this scheme?—Not so far as I know.

1144. Have you heard the letter from the Commissioners of Charitable Donations and Bequests. (Letter read). That gives us jurisdiction to deal with the fund if you want wider powers?—Yes.

PUBLIC SITTING—FRIDAY, MAY 2, 1890.

May 2, 1890.

At the Courthouse, Longford.

Present:—The Right Hon. Lord Justice FITZGERSON, and the Right Hon. Mr Justice O'BRIEN, Judicial Commissioners; and the Rev. GERALD MOLLOY, D.D., D.S.C., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.S., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Assistant Secretary, N. D. MURPHY, was in attendance.

Lord Justice FITZGERSON made an introductory statement.

The Right Rev. Dr. Stone, Lord Bishop of Kilmore, sworn and examined.

1145. Lord Justice FITZGERSON.—My Lord Bishop, you represent the diocese of Ardagh?—Yes.

1146. Is the whole of the county Longford in Ardagh?—All but a very small portion, which is in Meath.

1147. What are the views of yourself and of the Diocesan Council on this matter?—We have been considering the matter as carefully as possible, and some have been in favour of allocating the money for educational purposes. My own feeling does not go with that view. I think it is but right that we should retain it for its present purpose. I have a letter from the Lord Bishop of Meath, who was unable to attend here, in which he says:—

"My dear Lord Bishop, I quite agree with you that in changing the disposition of the Chariton Trust Fund, say for educational purposes, members of the Church of Ireland alone should be consulted, as it was undoubtedly the purpose of the testator that the fund should be applied solely for the benefit of members of that Church."

1148. Mr. Justice O'BRIEN.—That letter appears to have been written by Dr. Reibel under the idea that the fund should be confined to one religious denomination. I don't see how Dr. Reibel, after the proceedings at Navan, could have supposed that it would be confined to any one denomination in any event. He could not have been left under that impression, I think.

The Bishop of Kilmore.—However, the present arrangement does not shunt all the fund available, and I have given a good deal of thought to the matter, and have had a good deal of conversation with persons interested, both in the diocese of Ardagh and in Kilmore, and our idea seems to be, and I respectfully put it before the Commissioners, to extend the area to the adjacent counties of Caran and Leitrim. Both those counties touch on Longford.

1149. Mr. Justice O'BRIEN.—To extend the benefit of the fund for marriage portions for girls of these counties?—If that were done, from my own knowledge, a good proportion of the fund would be absorbed for marriage portions for girls properly qualified to avail themselves of the benefit of the Chariton Bequest. That is what I principally put forward, and my views will be sustained by some who are practically aware of the working of the fund, and of the distribution,—to extend it to the counties of Caran and Leitrim for marriage portions for girls, members of the Church of Ireland, in the first instance.

1150. Dr. TRAILL.—Why does your lordship restrict it to those two counties, and not extend it to all the adjacent counties?—I mention these two counties as they touch on Longford. From my intimacy with the town of Caran as Rector, and since then as Bishop of Kilmore, I think there would be a large number of applicants from Caran, but I don't object to other counties being included.

1151. Mr. Justice O'BRIEN.—Except that if the water were spread over too large a surface it might disappear altogether.

The Bishop of Kilmore.—Quite so.

1152. Professor DOUGHERTY.—Why not include Monaghan? It has precisely the same rights under the will as Caran.

Lord Justice FITZGERSON.—First there come Meath and Longford, adjoining one or other of these are Dublin, Kildare, King's County, Westmeath, Roscommon, Leitrim, Caran, Monaghan, Louth—seven counties in all.

1153. Mr. Justice O'BRIEN.—Extended over these eleven counties, as you propose, it would yield a very small sum.

The Bishop of Kilmore.—I suppose it would. We agreed to suggest Caran and Leitrim.

1154. Dr. TRAILL (to Witness).—I suppose you thought that before any surplus should be created and given to other denominations, the Protestant girls should have the same advantage in those counties as the Protestant boys?—Certainly—under the terms of the will.

1155. Mr. Justice O'BRIEN.—You don't include in "under the terms of the will" that the grant was intended for those belonging to one Church?

The Bishop of Kilmore.—Was not it the intention of the testator that it should be for Protestants?

1156. Mr. Justice O'BRIEN.—There was some evidence as to his own religious profession.

The Bishop of Kilmore.—But are we not to draw an inference from the provision in the will that the marriage was to be certified to have taken place in the presence of the minister and churchwardens?

1157. Mr. Justice O'BRIEN.—That was stated, certainly; but in the scheme settled in 1877 by the Court of Chancery it was no longer confined to Protestants.

The Bishop of Kilmore.—But I go back to the will, which required that the marriage should be certified by the minister and two churchwardens.

Dr. TRAILL.—Not only certified by them, but performed in their presence.

1158. Lord Justice FITZGERSON.—Have you had any experience of the way in which these marriage portions have worked?—I have. I could instance one case; they emigrated to the County Caran from Longford, and got on very well. Other cases have come under my notice also, and they have been most satisfactory. Industrious people have been enabled thereby to follow their industry.

1159. Mr. Justice O'BRIEN.—It was whilst you were rector of Caran that you acquired that experience?—Mostly.

1160. They were Caran boys who married Longford or Meath girls?—Quite so.

1161. Dr. TRAILL.—Did they bring the girls from Longford?—Yes, the girls came from Longford.

The Bishop of Kilmore.

May 5, 1895.
The Bishop of
Kilmore.

1162. Rev. Dr. MOLLOY.—I suppose your lordship recommends the extension to Cavan and Leitrim because they belong to your own diocese?—Not at all.

1163. Rev. Dr. MOLLOY.—What reason is there for restricting the extension to these two counties?—There is no endowment of the kind available for Cavan.

1164. Professor DOUGHERTY.—Does your lordship's diocese embrace Monaghan?—No, that is in the diocese of Clogher.

1165. Mr. Justice O'BRIEN.—There is a general tendency in every denomination for the priest to cherish his own diocese first.

The Bishop of Kilmore.—Just so.

1166. Lord Justice Fitzgerald.—The county that geographically has the best claim is Westmeath, which lies between Longford and Monagh.

The Bishop of Kilmore.—I know there is a very large number of this class of men in Cavan.

1167. Lord Justice Fitzgerald.—What was the position in life of those who have come under your notice?—Two came under my notice particularly. They were small farmers not much better than labourers. But by their industry they advanced

themselves in life. In one case they have risen in life very much, have increased their holdings, and are most prosperous. I never visited any house in the parish that pleased me more for its cleanliness, and for the industry of both the man and the woman.

1168. Dr. TRAILL.—What did they do with the £25?—They furnished their house and bought some outfit.

1169. Professor DOUGHERTY.—Your lordship does not agree with Dr. Reidel that this form of charity has a tendency to pervert the people?—No, I don't at all agree with that.

1170. Lord Justice Fitzgerald.—He was Rector of Trim, and he said "A trust that stimulates to improvidence and stimulates to perjury is a trust which I think ought to be altered." Some parsons were fortunate in having clergymen who put a honest constancy on "day labourers" than others. In one case a laicus found signed a certificate in ignorance, and there are a number of difficulties and abuses that ought to be guarded against. Is there anyone who can tell us about the working of it in this locality—any clergymen who have given certificates. We want information as regards specific cases.

Rev. Frederick
Peterson,
24. 5.

Rev. Frederick Peterson, M.D., Rector of Longford, sworn and examined.

1171. How long have you been Rector of Longford?—Some months.

1172. Where were you before that?—I was seventeen years Rector of Clonsilla and I was Curate of Killoe.

1173. All in this county?—Yes.

1174. Have you during that time known many applicants for the fund?—Yes, I dare say nearly two on the average each year—more than fifty cases in all.

1175. Have all these applicants been successful?—No.

1176. Have you known cases of successful applicants who were not entitled?—That depends on the interpretation of the terms of the will.

1177. What interpretation do you put on the will?—When I was a young man we wrote to the Lord Chancellor asking for a definition of a "day labourer," and got a reply, in consequence of which there has been a tolerably liberal interpretation applied to it.

1178. You are aware that the qualification applies to the parents and not to the parties themselves?—Yes.

1179. When you say "a liberal interpretation" what do you mean?—When the man has been a journeyman or a workman, say, in a forge, I have certified.

1180. Rev. Dr. MOLLOY.—A smith?—Yes.

1181. And artisans generally?—Yes.

1182. And generally, I suppose, all people working for daily wages?—Yes, I do not say that many of those have come, but in those cases I would sign the certificate.

1183. Were there many cases in which you signed in which the claim was not afterwards allowed?—I don't remember any except one, and that one was as strictly and as honestly due as ever was signed for.

1184. On what grounds was it refused?—Because I would not certify that the churchwardens were present, simply. They signed a certificate that they were. I said it was not part of my duty to sign that, and I declined. The only thing that I should be required to certify was that I was present at the marriage, but they call on us even now to certify that the churchwardens were present.

1185. We had evidence that a man was refused because he was a card-driver?—I would think that was very wrong, if he was earning daily wages.

1186. Professor DOUGHERTY.—You think it wrong to confine it to agricultural labourers?—Yes. I venture to say also if there was a man holding an acre of

land and he lived himself out to me as a day labourer, his position would not disqualify him.

1187. Rev. Dr. MOLLOY.—Even if he had three acres and a cow?—Even if he had three acres I don't think I would disqualify him.

1188. Lord Justice Fitzgerald.—If he is earning daily wages in any sort of handicraft, would you sign for him?—I would. That is the rule that operated on my mind, seeing that the authorities refused to grant it unless on a certificate that they were day labourers.

Lord Justice Fitzgerald.—But the right to get the money was absolutely lost unless the certificate was signed, and we had great complaints in Navan of the clergymen who refused to sign because they were not satisfied that the parties were entitled, while a clergyman in the adjoining parish would sign, so that people's rights depended very much upon the peculiar views taken by the clergyman.

1189. Mr. Justice O'BRIEN.—Can you give us any information as to the conduct and career of the people who received these portions—was it satisfactory?—Yes, in a good many cases. There is one instance I remember. In those days the women received the money and one of them married. The man was a lame-footed fellow, and after marrying him she went to America. But that is a solitary instance. I dare say there might be a little additional justification on the prospect of getting a little marriage portion. I have known men to furnish their houses and to buy cattle, and I question very much whether £25 in 1792 was very much less than £25 is now.

1190. Lord Justice Fitzgerald.—What sum of money would you think to be now of substantial value?—Anything from £5 up is of substantial value. When you consider how difficult it would be for a labourer earning daily wages to save £20, you will see that even £5 is of very great advantage.

1191. Lord Justice Fitzgerald.—In Navan there were a good many cases of refusal of heads?—I would not hesitate for a moment to sign for a head.

Rev. Dr. MOLLOY.—The heads in Longford may not occupy the same position as the heads in Meath.

1192. Lord Justice Fitzgerald.—Are there any considerable number of Protestant day labourers in the county of Longford?—There were a considerable number in the parish I came from.

1193. Professor DOUGHERTY.—Do you happen to know anything of the condition of the labourers in the

offspring countries of Monaghan and Cavan?—It is much the same.

1194. Then this charity has not resulted in much benefit to the class?—I think you will find that many of these men who were day labourers themselves and springing from day labourers decidedly advanced after they got married.

1195. Rev. Dr. MOLLOY.—Are you in favour of continuing to apply the fund for marriage portions?—Most decidedly. And I think, as it was extended to men in the adjacent counties, it should also be extended to women of the adjacent counties.

1196. Professor DOUGHERTY.—Would you approve of appropriating any of it to educational purposes?—I think it would be a terrible pity to alienate any portion of a fund that was left for the benefit of a portion of our labouring classes to any other purpose whatsoever.

Lord Justice FITZGERALD.—It is not proposed to alienate it from the class for which it was intended, but the idea was that it could be more usefully applied in some other way for the benefit of the same class.

1197. Mr. Justice O'BRYEN.—I understand Mr. Potterton to say that it would be a misapplication of the fund to be giving—even to the same class—learning instead of bread. Dr. Reichel was, in my opinion, entirely under a mistake when he stated that, in his opinion, the intention of the fund was to stimulate

early marriages. I think the testator had the object of stimulating industry in humble people.

Witness.—I think there might be some extension of the marriage age for men. Men don't now like to get married under thirty. I would propose to extend the age for men to forty.

1198. Dr. TRAVIS.—Would you interchange the ages, and put it at forty for the men and thirty for the women?—No. I would leave the age of the women as it is at forty.

1199. Professor DOUGHERTY.—Have you found the Protestant peasantry declining matrimony in spite of this bribe?—No. There is reasonable prudence.

1200. It is better for them to marry young, and to have their families grown, than to marry old and leave a poor helpless family?—I don't think it expedites their marriage or rewards it very much.

1201. Lord Justice FITZGERALD.—What would you regard as the natural and proper limit of age in this rank of life?—I should say for men from about twenty-four to forty.

1202. Mr. Justice O'BRYEN.—Or from twenty-one to very few marry so young as twenty-one.

1203. Professor DOUGHERTY.—What limit would you suggest for the women?—I don't think many marry under twenty-one years of age. I have licenses for marriage here, and there are only very few of this class under age. Farmers' daughters often do get married under age if an eligible offer comes.

Rev. HENRY Wilson White, D.D., examined.

1204. The people in Meath object to describe their fathers as "day labourers." I was for five years in Mr. Charlton's parish, and I was for some time curate of Ardbraccan, where the stone-cutters reside; my rector incurred great unpopularity amongst all his parishioners because he would not sign that these stone-cutters were day labourers. They are a community by themselves. They are apprentices, and they do the fine work that we see on a great many houses in Dublin. Nearly all the Protestant parishioners are engaged in these quarters. They will not sign that they are the sons or daughters of day labourers. I had a case in which I married the couple. The girl was a daughter of one of the stone-cutters. The man was the son of a small farmer. I had the churchwardens in the church. When filling up the certificate afterwards neither party would allow themselves to be described as the children of day labourers. The one wanted to have herself described as the daughter of a stone-cutter, and the other should have his father described as a farmer.

1205. Rev. Dr. MOLLOY.—Your explanation is that the people themselves do not wish to be described as fulfilling the conditions of the will?—What is required is a definition.

1206. But your statement is that they do not consider themselves day labourers?—They consider it mean and servile to be described as day labourers.

1207. They say they are not day labourers?—That they are not day labourers in the modern acceptance of the term.

Rev. Dr. MOLLOY.—And the testator in his will restricted the endowment to day labourers.

1208.—Professor DOUGHERTY.—On the other hand, we were told in Navan that the Rev. Mr. Brownlow, of Ardbraccan, never signed one of the papers, and this caused a great amount of annoyance.—Claimants left Ardbraccan and went to Athboy because the clergyman there took a different view of it.

1209. Rev. Dr. MOLLOY.—Your evidence is that people were offended if it was stated that they were

the sons or daughters of day labourers?—They would be offended if it was put in the marriage certificate, but they would not be offended if it was put in the claim.

1210. Lord Justice FITZGERALD.—That accounts for the rejection of a large number of claims since they established the plan of sending for the registry certificate. They were ruled out by the deans, because the registry certificate did not correspond with the claim?—Yes.

Rev. F. Potterton.—In support of what Dr. White said, I have known people give in their names as sons of farmers where the father had only a patch of land.

1211. Professor DOUGHERTY.—Can Dr. White give us any information as to the question of the fund while he was in Ardbraccan?

Rev. Dr. White.—I was there for five years. The only cases where the fund was misapplied—

1212. Professor DOUGHERTY.—How misapplied?—Footish marriages were made for the purpose of getting the money.

1213. Professor DOUGHERTY.—Then it encouraged foolish marriages?—The marriages that would have been advantageous were ruled out. I believe it would be an advantage if it was to include artisans and journeymen, as Lord Justice FitzGibbon said he would.

Lord Justice FITZGERALD.—I only said that "journeymen" was French for "day labourers."

1214. Professor DOUGHERTY.—Are you in favour of devoting any portion of the fund to educational purposes?—I think it would be better to leave it altogether for marriage portions. If used as an educational fund it would be used for a class a good deal higher than the class Mr. Charlton gave it for. I think a great deal of educational endowments have been diverted to a class above the class for whom they were originally intended.

Professor DOUGHERTY.—I agree with you in that.

1215. Rev. Dr. White.—I think any surplus might be used for that purpose, but it would be wrong to use any of it for education until the claims for marriage portions were satisfied.

May 3, 1890.

Rev. Frederick Potterton, D.D.

Rev. HENRY Wilson White, D.D.

Colonel James Henry Dwyer sworn and examined.

May 2, 1895.

Colonel James Henry Dwyer.

1216. I was churchwarden of this parish in 1871, and a young man who was married came to me to sign the certificate. He asked me could I certify that his father was a day labourer. He seemed in doubt, but he said that it would be a great loss to him if I could not certify for him. As a matter of fact, his father was a shopkeeper in the town, and a contractor. The son was a carpenter, and his brother was a carpenter. I said I would leave the matter to Mr. Cotter Kyle, who was then Secretary of the fund, and I wrote to him and asked him if he could so instruct my mind that I could certify with a clear conscience for this man. His reply was a very satisfactory thing to me, inasmuch as he said he was glad to see that in the nineteenth century there were still gentlemen who hesitated before they put pen to paper. So I declined to certify, but he went to another gentleman, and he certified for him. I was very glad he got it, as in other respects he was a most deserving person.

1217. Mr. Justice O'BRIEN.—Did he make a good use of it?—He did. That was the only case of an application that came before me as churchwarden.

1218. Was there ever at any time the practice which the testator seems to have contemplated, that the persons intending to claim should get the clergyman and two churchwardens to be present at their mar-

riage?—No. I was asked to certify that he was the son of a day labourer. I was not asked to certify that I had been present at the marriage.

1219. Rev. Dr. MOLLOR.—Should you call a herd a day labourer?—I would.

1220. A smith?—I would, unless he was engaged in a large factory. The founder of the Forth Bridge was a day labourer.

Mr. Justice O'BRIEN.—There can be no doubt that Sir William Arrol's son could claim it.

1221. Professor DOUGHERTY.—You have experience of the condition of the peasantry in other counties?—Yes.

1222. Is it your experience that the condition of the married peasantry of Longford is better than the condition of the Protestant married peasantry, say of Donegal?—I would not say that. There are special advantages up in the North.

1223. What are the special advantages?—I think there is more industry, and they are more inclined to work.

1224. Then these marriage portions have not really resulted in any advantage to the people?—I think the sum is too small. Of course, a small sum is an advantage, but it is infinitesimal.

James Wilson, Esq., B.A., examined.

James Wilson Esq., B.A.

1225. What I consider necessary is to do away with perjury. I believe the magistrate has no choice. He must take the declaration. I was morally certain in one case that perjury was being committed, but I could not refuse.

Mr. BIRD.—This might be got over by extending the age.

Rev. Patrick Neenan sworn and examined.

Rev. Patrick Neenan.

Rev. Patrick Neenan.—I beg to express regret at the absence of the Bishop of Ardagh, who is in Rome. I did not receive notice of this meeting in time to ascertain what his views are.

Lord Justice FRYGROVER.—We wrote to both the bishops more than a month ago. But you can, no doubt, give us valuable information.

1226. Lord Justice FRYGROVER.—You are Administrator of the parish of Longford?—Yes; I have been in the parish for fifteen years.

1227. You have not been Administrator all the time?—Not all the time.

1228. You have had to deal, I think, with claims to the surplus of this fund?—That is all.

1229. About how many on the average each year?—Possibly two or three each year.

1230. The amount has varied very much one year with another?—Yes. I think that was very remarkable.

1231. Have you had many applications that were not well founded?—Three or four.

1232. Mr. Justice O'BRIEN.—In what respect?—The limits of age, and the fact that they were not children of labourers.

1233. Lord Justice FRYGROVER.—Have you known any cases where you solemnized the marriage yourself, or where it had been solemnized by another clergyman, and you did not give the certificate, but it was afterwards got from somebody else?—Yes. I don't know where they got it, but they got it from parties in the town.

1234. Dr. TRAILL.—Did they get the money afterwards?—I should think so.

1235. Lord Justice FRYGROVER.—A clergyman told us at Navan that he was only bound to give the certificate of marriage. He was asked to give a certifi-

cate of age, and where he refused, the parties took the alternative of going to two householders to sign the certificate—has that occurred in your case, also?—I have heard of two or three cases.

1236. Of course they would not come to tell you?—Certainly not.

1237. In cases where the money has been got, and got properly, have you any experience of how it has been used?—My experience has been entirely confined to this town. I think, on the whole, I would not regard it as satisfactory.

1238. In what respect?—I think the majority of the persons were not benefited by it. These were who were industrious men emigrated on the money.

1239. We had some instances before us—in one case a man bought two pigs with the money, and others got a bit of land—have you known cases of that kind?—I have not.

1240. As regards the amount—is it satisfactory?—It is varying. That limits its value very much.

1241. You don't approve of the operation of the fund at all?—I can hardly say that I do.

1242. But, supposing marriage portions to continue to be given—as between a fluctuating fund and a fixed fund—what sum would you suggest as the amount to be given in each case?—I think the sum mentioned by the testator, six guineas, would be a proper sum.

Mr. Justice O'BRIEN.—But six guineas at that time represented more than £25 now.

1243. Rev. Dr. MOLLOR.—Would you say it ought not to be under £5?—I think so.

1244. Dr. TRAILL.—A labouring man would be a long time saving £5?—He would.

1245. Professor DOUGHERTY.—Do you think it could be applied to the education of the same class?—I think it could. There is the Read trust, in Kerry

1248. Do you believe that that form of education would result in permanent benefit to the class?—Yes.

1249. Dr. TRAILL.—Does not the National Education fund supply them with a good education?—The Road fund is given as premiums to monitors.

1250. How would you expend this money in education?—As a premium to the sons of labourers.

1251. Professor DOUGHERTY.—Don't you think something might be done to improve the means of industrial training in the country?—I think there might be. In regard to the way the fund is distributed, I think it would be almost impossible to distribute it properly unless you have some local public authority, such as the Board of Guardians.

1252. Professor DOUGHERTY.—Would not that have a pauperizing tendency?—I don't think so.

1253. Mr. Justice O'BRIEN.—Attaching a certain stigma to the thing by connecting it with the Board of Guardians?—I don't think so.

1254. Dr. TRAILL.—Besides they are becoming great politicians now-a-days?—Some of them.

1255. Mr. Justice O'BRIEN.—He hopes that may alter.

1256. Lord Justice FITZGERALD.—Would you consider that you could make a selection from among the applicants. It is obvious that there must either be a selection or a division by heads. If there is a division by heads the amount must be fluctuating?—I have no doubt the principle of selection could be well worked by any public body, where everything would be done above board, but such selection would be

very invidious if done by private individuals. As to the discussion on the interpretation of the word "labourer," I thought where the man was a slater, he was not entitled.

1257. Dr. TRAILL.—What wages did he receive?—From 20s. to 50s.

1258. Lord Justice FITZGERALD.—How would he be paid?—By the week.

1259. Have you treated no artisans as being day labourers?—No.

1260. Rev. Dr. MOLLOY.—Would you consider a man who sweeps the street entitled?—Yes.

1261. What would you say to a herd?—Herd in this part of the country are practically the poorest class. They get 6s. a week.

1262. Dr. TRAILL.—Does not a herd get grazing for cattle?—No; not even for a goat.

1263. Lord Justice FITZGERALD.—You have had difficulty in knowing what is a day labourer, as well as anyone else?—I did not say that; I took it to mean a man working for day wages, and not as an artisan.

1264. Dr. TRAILL.—Would you give the grant to a man earning 15s. a week?—I would not go beyond that.

1265. Do you think 15s. would be a fair limit?—I think so.

1266. Mr. Justice O'BRIEN.—I suppose what is called public opinion—the public opinion of the class who would be entitled to this fund—would be against its application to educational purposes?—I should think so.

Harry McCann, Esq., J.P., sworn and examined.

1267. Lord Justice FITZGERALD.—You are resident in Longford?—Yes, nearly forty years.

1268. Mr. Justice O'BRIEN.—You have some experience in this matter?—I took a great interest in it when it was first opened.

1269. Lord Justice FITZGERALD.—That is in 1877?—Yes. I thought it would do a great deal of good; and it did I believe. I signed the certificate.

1270. Professor DOUGHERTY.—Could you give us an idea of the number of cases?—Scarcely. I have myself done upwards of fifty.

1271. Rev. Dr. MOLLOY.—What kind of people were they?—I was a large employer of labour, and those whom I thought were entitled I put in the way. I only know of one case where it ended badly. But I think the sum too small, £8 I think too small.

1272. Professor DOUGHERTY.—How did it end badly in that case?—The man was a disolute man.

1273. Mr. Justice O'BRIEN.—That might happen with any man.

1274. Lord Justice FITZGERALD.—How did it work generally?—A great many got it who ought not to get it at all.

1275. What amount would you fix as the amount to be given?—I think anything under £15 too little, and I would select.

1276. How would you select them?—I would have a board.

1277. How would you propose to form the board?—It is very difficult. I would form a board for the two counties.

1278. Rev. Dr. MOLLOY.—Would you give the adjacent counties any voice?—Certainly not, till we had exhausted the two counties. I think it is perfectly clear that the testator meant it to be in the first instance for the two counties.

1279. Dr. TRAILL.—But it was intended for Protestants?—I think it was intended for both. I lived with people that knew Charleton; and there was no question in those early days as to the religion of the applicants. All that they did was, that they got the certificate of the churchwardens and the minister that they were married.

1280. In their presence?—Not necessarily in their presence.

1281. Lord Justice FITZGERALD.—We were told at Navan, that before the first Chancery scheme they got it without religious distinction—what was the certificate that was given in those times?—There was an old woman named Mary Hoy who knew persons to whom the money was granted. They would merely get the certificate from the churchwardens of the parish and the minister that they were married; and she told me it was quite sufficient.

1282. Mr. Justice O'BRIEN.—She was a Roman Catholic?—She was. I know of numbers of Roman Catholics who got the money.

1283. Rev. Dr. MOLLOY.—They got the certificate of the churchwardens and the minister that they were married?—Yes.

1284. Mr. Smith stated at Navan that up to 1874 the Catholics got it without any reservation. Here is his evidence:—

"856. Up to 1874 you say the Catholics got these portions?—There was no distinction.

"857. How did they qualify?—By getting married.

"858. They were not asked to produce any certificate signed by the Protestant minister?—No. A Catholic clergyman's certificate qualified them."

Witness.—I don't think so; because I am acquainted with a family in this county who got a certificate. They got the six guineas. The marriage took place forty years ago. The certificate was signed by the Rev. Mr. Graves, of Kilsnashan, and Mr. Little.

Lord Justice FITZGERALD.—There was a new form in 1874.

1285. Rev. F. Patterson.—Is there any evidence that those parties did not go through some form of ceremony?—I was informed of the case of a Roman Catholic going to the clergyman at Athboy and being married by him and getting the money.

1286. Rev. Dr. MOLLOY.—A case like that was referred to in Dublin and denied in Navan—are you able to state the facts?

1287. Dr. TRAILL.—I think his evidence is quite different. It is that he was married by the clergyman.

K

May 1, 1890

Rev. Public
Mahan

Harry McCann,
Esq., J.P.

May 5, 1872.
 Henry M. Cane,
 Q.C., &c.

Rev. F. Potterton.—Yes.

Dr. TRAILL.—That is quite different from what was stated in Dublin.

1288. Rev. Dr. MOLLOY.—Do you remember the case?

Rev. F. Potterton.—I only speak from hearsay. Mr. Noble in whose parish it was mentioned about the man going and getting married, and getting the certificate and getting the money.

1289. Rev. Dr. MOLLOY.—Then it was well understood that they were not required to be Protestants, but only to obtain the certificate?—

Lord Justice FRIGGSON.—As the law stood at the time a marriage between Roman Catholics would be perfectly valid if celebrated by a Protestant clergyman.

1290. Rev. Dr. MOLLOY (to Witness).—The parties you speak of got a certificate that they were married?—The sons declared that their father and mother were married, and that the Rev. Mr. Graves and Mr. Little the churchwarden signed, and they got the money.

1291. Lord Justice FRIGGSON.—About what date would that have occurred—before 1876 or after it?—I fancy it was after, but I can refer to a case that occurred before it in a similar way at Killybegs. It is seventy years ago and more. The money was given in the same way.

1292. That is on a certificate that the parties were married, but not that they were married in the clergyman's presence?—Yes. At that time Roman Catholics in England were always married in the Protestant Church, but in Ireland, Roman Catholics married by a Catholic priest at that time could not get this money. It would not be a marriage at all, and therefore Mr. Charlton, who was a very liberal man, might have included the mixed marriages.

1293. Mr. Justice O'BRIEN.—He intended to give the fund to those who could qualify themselves in a legal manner?—At that time there was scarcely such a thing in Meath as a Protestant labourer.

1294. Dr. TRAILL.—Was not that perhaps his reason for increasing them?—But the class did not exist. It was not to increase them but to create them.

1295. Lord Justice FRIGGSON.—Have you known any difficulties about the qualifications for this fund?—We have no difficulty on our side.

1296. But have cases been made by these not entitled?—A great many.

1297. I believe there were prosecutions?—Yes, for forged certificates. I have known a case in this county where I believe one applicant got it three times on the one marriage; certainly twice, and I believe three times.

1298. Dr. TRAILL.—How much did he get?—£5.

1299. Lord Justice FRIGGSON.—How?—By forgery.

Rev. F. Potterton.—Not at all. There was nothing in the certificate to prevent a clergyman signing for it over and over again. Now there is a limit, for you must do it now within a year.

1300. Rev. Dr. MOLLOY.—Formerly they could get it as often as they applied?—No; but it does not imply forgery at all. It implies laxness on the part of the authorities.

1301. Lord Justice FRIGGSON.—(Having read the form of certificate).—How men could be aware from the information of "reputable" neighbours that a "marriage was performed 'in their presence'" I cannot understand.

Rev. F. Potterton.—I don't wish it to be understood that I ever signed it a second time, but I was asked, and I declined. There was nothing in it to prevent its being signed a second time. But I knew the man had got the benefit of the fund before, and I declined to sign it.

1302. Lord Justice FRIGGSON.—To claim the surplus the man or the woman has to make a declaration.

Witness.—This is previous to 1877.

1303. Lord Justice FRIGGSON.—But since then it

could only be got twice by forged certificates?—Since then it could only be done by not checking the cases properly. I have consulted a great many of the billy and the priests on the matter.

1304. Rev. Dr. MOLLOY.—Do you think that the scheme of 1877 has worked better or worse than the scheme before that?—I think the money is sometimes ridiculously small. It is not worth doing anything with, and it is liable to be squandered.

1305. Do you think it would be better to select a limited number, and give not less than £15 to each?—I think so, but I think it should be open to all applicants.

1306. You mean that the present scheme should be set aside?—Set aside, as regards the £25.

1307. Lord Justice FRIGGSON.—You think it better to have a fixed sum, and therefore there must be a selection?—Yes.

1308. And that the selection should be made by local people?—Yes.

1309. Have you any idea of how a board should be formed for the purpose?—A crude idea. Say the chairmen of three boards of guardians of Meath and Longford, and two members of the Grand Jury in each county.

1310. Mr. Justice O'BRIEN.—Would you leave out the clergy on both sides?—I would.

1311. Lord Justice FRIGGSON.—Do you think a board so constituted would take the trouble of investigating these claims?—I think they ought.

1312. Professor DOUGHERTY.—What functions would devolve on the board?—A list of the applicants should be sent to them from whom they would select a number to receive £15 each.

1313. Where would it meet?—In Longford and Navan.

1314. Would they be willing to undertake this trouble without compensation?—The governors of the Lunatic Asylum at Mullingar meet once a month, and this board would have to meet only once a year.

1315. Dr. TRAILL.—You would be in favour of getting rid of the three attorneys?—I believe it could be done for £100 a year.

1316. Rev. Dr. MOLLOY.—Would you give the administration of the property to the board?—Yes.

1317. Dr. TRAILL.—Would you give one board to the Roman Catholics and another to the Protestants?—I would be for one board. Are you aware that the men in the will were invariably Catholics?

1318. I don't believe it at all?—I will prove it to you.

1319. The Bishop of Ely.—Do you say they were invariably?—No; but very often. The will was before the Relief Bill was passed.

1320. Dr. TRAILL.—That destroys your proposition?—The Relief Bill excluded Catholics from voting for themselves as churchwardens, but it still continued the fine for not acting as such. Here is an old book on the Penal Laws; I don't know by whom it was written.

Mr. Justice O'BRIEN.—It is by Mr. Denis Scully. Witness.—He says—

"To be compelled to undertake the office of churchwarden is a hardship of which the Catholics are entitled seriously to complain."

That shows they were appointed.

1321. Rev. F. Potterton.—It does not show that they were appointed.

Mr. McCann.—If they were not they would not complain.

1322. Professor DOUGHERTY.—In the North Presbyterian were often appointed churchwardens.

Mr. McCann.—They were liable to be appointed, but they were not allowed to vote for themselves. The writer goes on to say:—

"Thus, as has been already observed with reference to the office of churchwarden, the Catholic is carefully compelled to undertake the office where it happens to be unprofitable and fatiguing."

1323. Rev. Dr. MOLLAY.—You don't think this fund was intended exclusively for Protestants?—I do not; but for day labourers. He had everybody about him Catholic.

1324. Mr. Smith said at Navan:—

"698. Up to 1834 the Catholics got it without any reservation."

Witness.—That was the evidence of this old woman I spoke of.

1325. Mr. Smith's evidence went to show that there was no certificate required at that time—that it was administered very loosely.

1326. Lord Justice FITZGERSON.—That appears to have been the case, because the Chancery Scheme of 1835 was made in consequence of previous looseness.

Rev. F. POTTER.—Archdeacon Gould, I think it was, who moved in the matter. I think it is all hearsay to infer that it was given to Roman Catholics.

1327. Lord Justice FITZGERSON.—The suit was instituted by the Attorney-General at the relation of Rev. James Wolfe Charlton—some member of the Charlton family, I suppose—Thomas Smith, and others.

1328. Rev. Dr. MOLLAY.—Here is Mr. Smith's evidence: I asked him:—

"696. Up to 1834 you say the Catholics got these portions?—There was no distinction.

"697. How did they qualify?—By getting married.

"698. They were not asked to produce any certificate signed by the Protestant minister?—No. A Catholic clergyman's certificate qualified them."

Rev. Patrick Fitzgerald sworn and examined.

1329. Lord Justice FITZGERSON.—You are parish priest of Kilghis?—Yes.

1330. How far is that from Longford?—About nine or ten miles.

1331. Have you experience of the working of this fund?—I was born in this county, and I have been all my time as a priest (thirty-five years) in this county. I was administrator of this town, and frequently had to sign these certificates.

1332. What has been your experience of it?—The first and worst experience I had before I came to this town. I was officiating in a country parish. I found that my name had been forged to five or six certificates. The parties were prosecuted. I gave evidence. I believe that since that there has been no case that was not perfectly honest and bona fide. One case came under my notice in which the girl had been for years residing in Longford. I pressed her as to her birthplace, and she then said, "I was born in Westmeath." I asked her, "Where did your father die?" and she replied that he died in the workhouse in Westmeath. I refused to sign the certificate. I said she was disqualified.

1337. Did she afterwards get it?—No.

1338. What is your experience of the utility of the fund?—I believe if the sum was increased a little it would be of much greater use. I think too small sums are almost worse than useless—17s. 6d., 22 10s., and so forth. I don't see the use of giving such small sums. I would say that anything less than £10 would not benefit a man.

1339. If a man was to be fixed, what sum would you name as being the best—mind, the more money the fewer people?—I would not like to see any worthy person excluded.

1340. But if you give a fixed sum, the larger the sum you give to each the fewer the people, and vice versa?—I would say that anything under £10 would be too small.

1341. Dr. TRAILL.—Supposing there was £500 to be distributed, would you rather give thirty portions of £10 or twenty of £15?—I would rather give the £10.

1342. Mr. Justice O'BRIEN.—Ten pounds is a substantial help?—Yes.

Then Dr. TRAILL asked him:—

"699. That was enough. At the time you refer to, when the Catholics got it, was the thing irregularly managed?—I did not say so."

Dr. TRAILL.—I afterwards asked him:—

"700. Did you ever see certificates before 1836?—No. But I knew Catholics that got them."

"701. Did they get them from the clergyman or the parish priest?—The Catholic clergy."

"702. They did not get them from the clergyman and the churchwardens of the parish?—I believe that was a technical error."

"703. What were the certificates they got?—The Roman Catholic clergyman's certificate."

That was Mr. Smith's evidence. That was all hearsay.

Witness.—I think it shows that after the death of the testator it was an open question, at all events.

1328. Lord Justice FITZGERSON.—You are of opinion that whatever money is applied should be applied in fixed sums, and some local board should select the best cases, and say whether they are properly qualified?—Yes.

1330. Professor DONAGHY.—Do you think the whole of this fund could be usefully applied in marriage portions?—I saw a good deal of it, and had a great deal to do with it myself, and I think it could.

1331. You would be against applying any of it to educational purposes?—Yes.

1332. Then you don't agree with Father Meahan's opinion?—I regret very much I do not.

Mr. Harry McCann.—The marriage fees would take something out of the money.

1343. Dr. TRAILL.—How much would that be?

Mr. Justice O'BRIEN.—He could not say that. That is a varying constant.

1344. Lord Justice FITZGERSON to (Witness).—Do you consider that the fund ought to be applied for marriage portions?—Yes. I agree with Mr. McCann.

1345. What class of people should get it?—what do you say is meant by "day labourers"?—I would say a man that is earning his bread, not by technical or skilled labour. Herds I would put on, but I would not put on tradesmen. I refused to sign certificates for carpenters and stone masons.

1346. Dr. TRAILL.—You are for a definition that would exclude a skilled labourer?—Yes. A man who assists with a hod, if he were getting 10s. a week, I don't think that should exclude him.

1347. Would you consider a man a labourer if he had a pound a week?—I would say that if a man was doing hard labour he ought not to be excluded.

1348. Lord Justice FITZGERSON.—How would you suggest that the best cases should be selected?—If a man came to me and he was qualified I would think it hard to exclude him.

1349. But once we come to the principle of selection there must be somebody to select?—I would be the judge in that case myself. I would know my parishioners.

1350. Rev. Dr. MOLLAY.—But your parishioners might absorb the whole fund?—I don't see that if a person was deserving of it he should be excluded.

1351. Dr. TRAILL.—But suppose the different parishes in the different parishes all brought in persons that they thought equally deserving, how would you settle it between them?—I never knew a deserving applicant that did not get it.

1352. Mr. Justice O'BRIEN.—But suppose there was only a sufficient fund to give £10 each to a certain number, and that there was a larger number of deserving applicants?—I would exercise my judgment.

1353. Lord Justice FITZGERSON.—But whose judgment?—I cannot say.

1354. Mr. McCann has suggested a board?—If I

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May 1, 1890.

Harry McCann,
counsel.

May 1, 1886.
Rev. Patrick
FitzGibbon

thought a board was workable I would think it the fairest and best way. But I don't think it would work.

1355. Professor DOWNHILL.—What do you think of Mr. McCann's proposal for a board?—I think it very good, but I don't think it could be carried out.

1356. Rev. Dr. MOLLOY.—The endowment includes the whole of the counties of Longford and Meath. You must therefore have some central authority?—I think Mr. McCann's method would be very good; but I think it would be very hard to work.

1357. Mr. Justice O'BRIEN.—It is very hard to assemble gentlemen in any locality for a more charitable object?—In these days people do not work for nothing.

1358. Rev. Dr. MOLLOY.—You think it cannot be done?—I don't think it can.

1359. Then you would have no alternative but a board in Dublin?—So it is.

1360. Dr. TRAILL.—Then you would have no control over it?—That is just what I was going to say.

1361. Suppose there were portions for thirty people, and all the parish priests thought that they had sufficient deserving applicants for it, how would you arrange it?—I would do my best to give it to the most deserving, even if they were outside the parish.

1362. But suppose you had thirty applicants in your own place?—Perhaps I would.

1363. Lord Justice FITZGERSON.—I don't think you grasp the difficulty. Supposing you had a fixed sum representing the present surplus that goes to the Roman Catholics, and supposing a number of quali-

fied applicants to come forward, and bearing in mind that you consider a variable amount a mistake, and that fixed sums should be given, do you see that some must be selected as being more deserving than others?—Yes.

1364. How would you select them?—I would wish, I say again, that some system like what Mr. McCann has proposed could be adopted, if it would work.

1365. Dr. TRAILL.—And you are not prepared to put anything in its place?—I am not.

Mr. McCann.—I am quite satisfied from my experience of these boards that every man would attend, and that we would be tearing one another for the money.

1366. Mr. Justice O'BRIEN.—That would be a very bad principle.

Rev. Mr. Meenan.—I think anything outside of a public board where there is a public discussion will render it impossible for the proper parties to get it.

1367. Lord Justice FITZGERSON.—They will never be satisfied otherwise?—I think not.

1368. Can you give us any practical suggestion as to the formation of such a board?—Mr. McCann has suggested the boards of guardians; but I suppose there are twenty unions in these counties.

Mr. McCann.—There are six in Meath.

Mr. James W. Ross.—This is the only board of guardians wisely in this county.

1369. Dr. TRAILL (to Mr. Ross).—Have you any suggestion to make?—No.

William Ross recalled.

William Ross.

1370. Lord Justice FITZGERSON.—Since you were with us in Dublin we have heard a good deal of evidence at Navan. In the first place they complain that a fee of 2s. 6d. is charged?—Yes.

1371. Under what authority is that charged?—It is for the stamp on the statutory declaration.

1372. Is any declaration made by people who are claiming the £25 portions?—No; their application is certified by the clergyman and churchwardens.

1373. They told us they had to pay half-a-crown?—No, unless they have to pay it for the marriage certificate.

1374. Have they to send you 2s. 6d.?—No.

1375. But the other people have?—The other people have.

1376. Then there is no necessity for any person to send you half-a-crown who claims the £25 portion?—No.

1377. We have a good many cases of people who complained that they sent in applications that they thought were quite right, and that they got no money and no answer—what means have they of knowing why their applications were rejected?—If they apply to me I will give them information.

1378. But they have to apply to you?—Yes, my solicitor gets the papers back.

1379. The only means they have at present is by looking at the advertisement of the successful candidates and finding their names not there?—Quite so.

1380. Do you think there would be any difficulty in giving an opportunity at Longford and at Navan to the people to discuss any points as regards their claims?—I don't see that there would.

Rev. Dr. MOLLOY.—They might have to travel a long distance only to find that they were not entitled.

1381. Lord Justice FITZGERSON.—Is there any way of communicating with them?—Your claim has been rejected on such and such a ground?—A circular could be sent to them.

Rev. P. Peterken.—In some cases they were wrong in their interpretation, and the people got the money afterwards.

Rev. Dr. MOLLOY.—I think that usually people in that class go to their clergyman for information in the matter.

1382. Dr. TRAILL.—What becomes of the half-crown when they are rejected?—The Inland Revenue keep it.

1383. Lord Justice FITZGERSON.—The first man we had was a man named Keegan. He "chanced" his wife's age, as he said, in his declaration, and he got no answer?—The same explanation applies to all these.

1384. John Reilly said he was married in 1886 (that he wrote to you, and you said he was not entitled, as he should have put in his claim within a year of the marriage; that he wrote again for the forms, and that you sent back an answer to send 2s. 6d. in stamps. He sent it, and you sent him the forms, and got them back. He is asked—"Did you send the 2s. 6d.," and he says "Yes." He is then asked—"After he told you were late he sent you a form, and you paid 2s. 6d. and filled it up, and you did not get the form back?" and he replies—"Yes; that is so." So his complaint was that he insisted on sending in a declaration after you had told him he was late?—Yes. That must be so. I had a similar case lately of another man who insisted on sending in a claim also late.

1385. Mr. Justice O'BRIEN.—In all the cases were the names advertised?—Yes.

1386. Lord Justice FITZGERSON.—But before the list is published all the claims are finally disposed of?—They are.

1387. Therefore they have no opportunity of knowing, till their case is decided, how it is going to be decided?—No.

1388. Nor how their claims are deficient until they have been finally dealt with?—Sir Patrick Maxwell communicates with them.

1389. If the certificate that is sent is all right on the face of it, is any inquiry made to verify it?—I think not; but it rests with Sir Patrick Maxwell. He writes for further evidence if necessary.

1390. Mr. Justice O'BRIEN.—Do you ever submit to Sir Patrick Maxwell applications that are in your own opinion doubtful as to the right to get the money?—I send them all in to Sir Patrick Maxwell and he sends them on to the Court of Chancery.

1391. Lord Justice FRYGROVE.—You send them on as you get them?—Yes, at the end of each year.

1392. If they are all right on the face of them Sir Patrick Maxwell puts them on the list and they are dealt with without any further correspondence with the Receiver?—Yes.

1393. But if any special question arises the solicitor sends to the claimant for further information?—Yes.

1394. He acts on that information to the best of his judgment?—Yes; and then he puts them before Mr. Brooke.

1395. And Mr. Brooke brings them before the Chancellor?—Yes.

1396. And all that takes place without their knowing anything about it?—Yes.

Rev. F. POTTERTON.—I have received from Sir Patrick Maxwell letters asking for verifications, and in all these he states that it is the Chief Clerk who makes the objection.

1397. Lord Justice FRYGROVE.—He is technically right.

Rev. F. POTTERTON.—But it is not Sir Patrick Maxwell.

1398. Lord Justice FRYGROVE.—Well, it originates with him.

Rev. F. POTTERTON.—There was one case in which the objection of the Chief Clerk was to a man giving evidence as to the age of his brother. There was thirty years between the two brothers, and therefore he said the man could not be of the age he was represented to be, so that they looked very closely into it.

Mr. JAMES W. BOND.—The largest part of the property is in Longford, and here it works satisfactorily.

1399. Mr. Justice O'BRIEN.—You stated your opinion strongly in Dublin in favour of it. You said something about taking care of your own labourers.

Mr. BOND.—It is of great advantage to the labourers.

1400. Dr. TRAILL.—And you are in favour of keeping up the allocation of it for marriage portions rather than for education?—I am.

1401. Would you be satisfied that Meath should apply it for educational purposes and Longford for marriage portions?—If you give us each our property.

1402. Lord Justice FRYGROVE.—But supposing Longford to be allocated a fixed sum—either Longford generally, or for the Protestants—it would follow that there should be a provision for selecting cases. If that were done can you give us any suggestion, as to what authority should be formed, either for the Protestants or for Longford generally?—Without considering it I would not like to give an answer. If you separate it the Protestants would give an answer and I suppose the Roman Catholics would give an answer.

1403. But I suppose you would hardly be satisfied at either side to distribute the funds by a mixed board?—It would be very hard. I don't agree with Mr. McCann that this is for all labourers. I believe that this will was for Protestant labourers.

1404. Rev. Dr. MELLOR.—The trustees appointed by the will were the high sheriffs of the two counties, and the Members of Parliament?

Mr. BOND.—But they had to be Protestants.

1405. Rev. Dr. MELLOR.—They are not so now. But how do you get over the argument that for the first forty years the marriage portions were given indiscriminately to Catholics and Protestants?

Dr. TRAILL.—I suppose you think the evidence of that is very uncertain?

Mr. BOND.—Yes.

Dr. TRAILL.—I think it is absolutely uncertain. I don't believe it at all.

1406. Rev. F. POTTERTON.—Will you ask the Receiver what the average dividends have been of the surplus?

Lord Justice FRYGROVE.—Seventeen shillings was the lowest, and the average was about £8.

1407. Lord Justice FRYGROVE (to Mr. WILLIAM BOND, the Receiver).—Was there any special reason for its falling so low as seventeen shillings?

Mr. WILLIAM BOND.—I think there was a great number of Protestant applicants that year.

1408. Lord Justice FRYGROVE.—Recollect, Mr. Potterton, there is a double circumstance that affects the dividend on the surplus. There are the £25 portions. As a rule, they absorb only half the fund, but if there is even an increase of two or three that diminishes the amount of the surplus seriously; and if it so happens that a large number of Protestant claims coincide with a large number of Roman Catholic claims, it would reduce the dividend very much. It went up in one year as high as £17.

Mr. WILLIAM BOND handed in a return of the district for the last five years.

The inquiry then terminated.

May 2, 1890.

Captain
WILLIAM BOND

PUBLIC SITTING—SATURDAY, AUGUST 2, 1890.

At the Office, 23, Nassau Street.

Present:—Right Hon. Lord Justice FITZGERALD and Right Hon. Mr. Justice O'BRIEN, Judicial Commissioners; and the Rev. GERALD MOLLOY, D.D., D.Sc., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, Wm. EDWARD ELLIS, M.A., LL.B., and the Assistant Secretary, N. D. MURPHY, M.A., were in attendance.

"THE COMMISSIONERS OF EDUCATION," AND THE ULSTER ROYAL SCHOOLS ENDOWMENTS.

OBJECTION OF THE LORDS COMMISSIONERS OF HER MAJESTY'S TREASURY.

Mr. CROWE, Q.C., instructed by Patrick COLL, Esq., C.A., Chief Crown Solicitor, appeared on behalf of the Treasury.

C. L. Matheson, Esq., instructed by Messrs. Robinson and Sons, appeared on behalf of "The Commissioners of Education."

1409. Lord Justice FITZGERALD.—We published our original draft scheme for the Royal Schools on April 30, 1886, and sent a copy to the Treasury. We received, considered, and allowed an objection of the Treasury to that draft scheme upon another point from that now stated, and on June 28, 1889, we signed the scheme which was brought before the Privy Council on November 6, 1889. It was remitted to us for amendment, still without any objection from the Treasury. We reconsidered it and signed an amended scheme on December 6, 1889. That amended scheme came again before the Privy Council on May 19, 1890, and it was sent back to us a second time with a declaration directing us to reduce several important provisions of our original scheme, the Privy Council considering it undesirable to press certain amendments which it had previously directed. We then for the first time received an intimation from the Treasury Remembrancer that there was an objection to a provision authorising the superannuation of officers of the Commissioners of Education. On its first publication in 1888 we sent the draft scheme to the Treasury: "My Lords" desired us to communicate with them through the Chief Secretary; we did so, and we were informed at every subsequent stage that, except in those points to which objection was taken, the scheme was approved by the Lord Lieutenant and Privy Council. The Treasury Remembrancer appeared to think that the Treasury objection could be reserved until the scheme went for the third time before the Privy Council, and we therefore found it necessary to point out that the only effect of this course would be, if the objection was sustained, to send back the scheme to us for a fourth time. To avoid the great delay and loss which this would impose on all those who are awaiting the completion of the scheme, we have appointed this sitting to hear the objection of the Treasury, and we have given notice to the Commissioners of Education that they may discuss the objection.

1410. Mr. Matheson.—The Commissioners of Education have instructed me to submit that you have no power to deal with this objection from the Treasury now, as the scheme has come back from the Lord Lieutenant and Privy Council with particular directions, and you have no power to deal with it except so far as relates to those directions.

1411. Lord Justice FITZGERALD.—The Lord Lieutenant and Privy Council have no jurisdiction to alter any scheme. They can only remit it to us with a declaration, which we would then consider ourselves bound to carry out, unless some very cogent reason

appeared to the contrary. We have, however, had several cases in which, where schemes were remitted, we have reconsidered them generally, and in some instances we have, on further discussion, departed both from our original scheme and from the declaration.

1412. Mr. Matheson.—I submit you have only power to deal with matters to which the declaration relates, and the declaration of the Lord Lieutenant in Council does not relate to this question of superannuation, but only to the constitution of certain local boards.

1413. Lord Justice FITZGERALD.—Under sec. 25, the Judicial Commissioners are charged with the preparation of an amended scheme, and if our attention is called, however late, to anything objectionable in the scheme, are we not bound to reconsider it?

1414. Mr. Matheson.—It would appear, to me, if there is to be any finality at all, when it comes back from the Lord Lieutenant in Council with a declaration, it must be limited to the matter of the declaration.

1415. Lord Justice FITZGERALD.—Sec. 25 says "the Judicial Commissioners may thereupon proceed to prepare an amended scheme." If I were shown, at any time, that there was any objectionable matter in the scheme, I would decline to sign it.

1416. Rev. Dr. MOLLOY.—Do you go so far as to contend that it would not be open to the Treasury to object to the amended scheme before the Privy Council?

Mr. Matheson.—I do not think that this Commission would have any power to alter it, when it had been approved of by the Lord Lieutenant in Council.

1417. Rev. Dr. MOLLOY.—There is no finality until the scheme is finally approved of by the Lord Lieutenant in Council.

1418. Mr. Matheson.—It appears to me there never can be finality, if when the scheme goes before the Lord Lieutenant in Council, an objection is made there, and it comes back with a declaration, some new objection may be raised and you proceed to revise the whole scheme.

1419. Rev. Dr. MOLLOY.—It is no doubt inconvenient, but it cannot be helped. If the scheme goes back to the Privy Council it would be open to the Treasury to come forward and object there.

1420. Mr. Matheson.—It would really go back to see whether the amended scheme carries out satisfactorily the declaration with which it was sent back.

1421. Mr. CROWE, Q.C.—The Privy Council have no legislative power in the matter at all.

1422. Lord Justice FITZGERALD.—There is no power in the Lord Lieutenant or Privy Council to compel

the Judicial Commissioners to frame the amended scheme in any particular form. If it does not satisfy them they can merely remit it to us again with a further declaration. The Treasury could never be got rid of by telling them that they had missed their opportunity before the Privy Council, nor can we overrule their objection without considering it, merely because they did not make it sooner. The only effect of our refusing to hear the objection now would be a loss of at least four months if the Privy Council sent it back to us for consideration. The Treasury seemed to consider that they were in a better position than anybody else, and could get the Privy Council to give effect to their views; they did not even think it necessary to read the papers that we sent them, but we have dissuaded their minds on that subject, and now we ought to hear them.

1423. Mr. Carron.—If you decide that you can now hear the objections argued I will not take up further time.

1424. Lord Justice FitzGibbon.—We consider that we ought to go into it now. In the excellent minute sent us by the Treasury, it is first submitted "that the moneys voted by Parliament under the 53 Geo. III., cap. 107, and 17 and 18 Vic., cap. 24, are not an educational endowment." We need not discuss that question, for we never regarded these moneys as an educational endowment. The clause in question was framed under section 9, of our Act, which provides as follows:—

"The Commissioners, with the consent of the Commissioners of Education in Ireland, may by any scheme confer upon the said Commissioners of Education any such further additional or amended powers as may appear necessary or expedient for the management of the endowments vested in the said Commissioners, or for the efficient exercise of the powers of the said Commissioners."

The draft scheme, a copy of which was sent to the Treasury in April, 1885, and every subsequent edition of the scheme contains this provision:—

"The Commissioners may, with the consent of the Lords of Her Majesty's Treasury, grant to any secretary or other officer in their employment (whether appointed before or after the date of this scheme), who otherwise than through misconduct shall become incapable of further duty, a reasonable superannuation allowance, to be fixed with due regard to the length of his service, and to the emoluments and other circumstances of his office and employment, not exceeding the amount to which, under similar circumstances, might have been granted to such secretary or other officer under the Superannuation Acts, 1859 and 1864, if holding office directly from the Crown in the Civil Service of the State. No person shall, after the date of this scheme, be appointed by the Commissioners to be such secretary or other officer until he shall have obtained a proper certificate from the Civil Service Commissioners. Every superannuation so granted as aforesaid shall be defrayed as part of the incidental expenses of the Commissioners."

That is the clause to which the Treasury now object.

1425. Mr. Carron, q.c.—We say it is not within the power of this Commission.

Lord Justice FitzGibbon.—We will hear you on that.

1426. Mr. Carron, q.c.—These appointments by the Commissioners of Education in Ireland arose under 53 Geo. III., chap. 107, section 4; that section gives the power of creating the office of secretary, with a salary not exceeding £700, and also of appointing such other officers as they may think necessary to carry out the work. They are to certify to the Lord Lieutenant a sum adequate to defray the expenses of the said officers and the incidental expenses of the Board; and it was provided by the 17 & 18 Vic., chap. 24, that that sum, instead of being paid out of the Consolidated Fund, should be paid out of the votes of Parliament. This Act of 53 Geo. III. gives no power whatever to create any superannuation allowance for any of the

officers of the Commissioners of Education, and if any officer appointed by the Commissioners of Education had been granted any superannuation allowance under that Act, the Treasury might say "we won't pay it," and any such attempt would be entirely *ultra vires*. The Act itself is specific as to what charges may be raised against the Consolidated Fund, and which the 17 & 18 Vic. requires should go before Parliament. When the Act of Geo. III. was passed there was no such thing as superannuating civil servants at all; and it cannot be contended the Commissioners could create a superannuation as an "incidental expense" of the Board. I therefore think it is quite plain, on the true construction of the Act, that it did not contemplate superannuation, and there is nothing in the Act, as I submit, to enable the Commissioners to give such superannuation. The Act under which you are acting, no doubt, gives you a right, in the words of the 9th section, with the consent of the Commissioners of Education, by any scheme, to confer upon the said Commissioners any such further, additional, or amended powers, as may appear necessary or expedient for the management and control of the endowments vested in or controlled by the Commissioners of Education, and for the efficient exercise of the powers of the said Commissioners; but how does that create a right to give superannuation allowances?

1427. Lord Justice FitzGibbon.—The Superannuation Act says that no person shall be entitled to superannuation unless his salary is provided out of the Consolidated Fund or out of money voted by Parliament. Those officers are paid in that way. Do they not then come under the policy of the Superannuation Act?

1428. Mr. Carron, q.c.—No, I respectfully submit that it does not follow that every person who is paid out of money voted by Parliament is therefore entitled to superannuation. These officers were not appointed by the Crown, they have been only appointed by the Commissioners of Education, and the Government or the Treasury have not had the slightest voice in their appointment.

1429. Lord Justice FitzGibbon.—No superannuation can be granted under this scheme except with the consent of the Treasury, and we propose to give them a voice also in fixing the staff, and to regulate their qualifications.

1430. Mr. Carron, q.c.—The Government or the Treasury have not any voice in the selection or appointment of the secretary or officers of the Commissioners of Education.

1431. Lord Justice FitzGibbon.—Not a great number of people are entitled to superannuation who are not appointed by the Treasury.

Mr. Carron, q.c.—Yes, but under Acts of Parliament.

1432. Lord Justice FitzGibbon.—If it was an "incidental expense" to pay an officer during sick leave, and if that was certified to the Lord Lieutenant and was considered reasonable, it appears to me the money must be provided by Parliament. The illegal conduct of the Treasury with regard to this department has been the subject of several reports to Parliament. The Commission of 1880 reported that a portion of Mr. Fleming's salary was illegally thrown on the endowments, and that the Parliamentary grant was inadequate to the expenses of the Commissioners. The former report of 1858 refers to the same illegality as even then existing. We propose now to give the Treasury control over the superannuation of these officers, and to prescribe their qualifications, instead of continuing the illegal system of paying them out of funds which the Commissioners have no right to charge with these expenses.

1433. Mr. Carron, q.c.—I assume the Treasury may have acted illegally at one time, but what has that to do with whether there is a right to give a super-

August 2, 1890.
Mr. Carron,
q.c.

August 2, 1896,
Mr. Carson,
q.c.

annuation allowance without an Act of Parliament, where the statute does not give any such authority.

1434. Lord Justice FRYGIMON.—Would it be an "incidental expense" to pay an officer during sick leave?

Mr. Carson, q.c.—Sick leave is entirely different from superannuation. An officer on sick leave is still in the service of the Board.

1435. Lord Justice FRYGIMON.—But the object of the superannuation code is to provide for people who are disabled, instead of leaving them to starve, or retaining them on salary after they have ceased to be efficient.

Mr. Carson, q.c.—But a man on sick leave is supposed to be only temporarily absent. It does not come in as an "incidental expense," but the Board grants him his salary while he is sick, and if he gets better he is supposed to resume duty. Superannuation is a special favour under an Act of Parliament, and such a favour as was not known when the Act of Geo. III. was passed.

1436. Lord Justice FRYGIMON.—It was because it was not known that the superannuation system was introduced. The question is whether this is a department to which we are right in asking that the superannuation system should be extended, as a beneficial additional power.

1437. Mr. Carson, q.c.—The seventh section of your Act does not give you any power over the question of pay or superannuation at all; it only gives you the power of granting to officers what may be necessary for the management of the endowment. It only gives you power to deal more fully with the endowment, and if you put them superannuations on the endowment, of course the Treasury have nothing more to say.

1438. Lord Justice FRYGIMON.—We cannot put it on the endowment. It has been reported to Parliament again and again that the Commissioners have been forced by the insufficiency of the Treasury Grant to act illegally in putting these charges on the endowment. But because the Treasury won't give them the money which the Act of Parliament has ordered them to provide, we are not to perpetrate the illegality.

Mr. Carson, q.c.—They could have proceeded by a petition of right.

1439. Lord Justice FRYGIMON.—How can you by petition of right get money voted by Parliament?

Mr. Carson, q.c.—You can get a petition of right to the Crown and ask to have it adjudicated on.

1440. Lord Justice FRYGIMON.—This is not a matter for a petition of right.

1441. Mr. Carson, q.c.—Then I submit there is no Act giving power to charge these salaries against the Treasury.

1442. Lord Justice FRYGIMON.—They must provide the expenses of the Board when certified by the Lord Lieutenant. The matter for consideration is whether it is incidental to the efficient exercise of the powers of the Commissioners to relieve them from the alternative of keeping an officer who, like Mr. Fleming, has been fifty-two years in their service, after he is disabled, or of turning him out to starve!

1443. Mr. Carson, q.c.—It might as well be argued that the Educational Endowment Commissioners have power to grant salaries and superannuation allowances.

1444. Lord Justice FRYGIMON.—Surely we have power to provide by a Scheme for the employment of whatever officers are necessary to discharge the duties of the reconstituted department. Has the Treasury omitted to notice that no money can be granted except with their own consent?

Mr. Carson, q.c.—If so, there is another way to bring it before them. Where there is any question as regards superannuation, the procedure is to represent the facts properly to the Treasury.

1445. Lord Justice FRYGIMON.—But you say there is no power in this case, no matter how properly represented, to give any superannuation allowance. If you admit the power, we will settle the matter at once, for all we want to do is to make it clear that it

is within the power of the Commissioners, in proper cases, to apply to the Treasury to sanction superannuation allowances, and we will gladly insert any reasonable limitations you can suggest.

1446. Mr. Carson, q.c.—Where parties who are not entitled under any Act of Parliament want to get superannuation, the matter must be brought before the Treasury setting out the facts. For instance, the Treasury never grant superannuation unless the party seeking it had his whole time employed in the exercise of the duties of the office in respect of which he seeks it.

1447. Lord Justice FRYGIMON.—These officers have hitherto given their whole time, and we propose that in future they shall obtain Civil Service certificates. Are you satisfied to allow us to insert a clause which will meet the difficulty here, and introduce proper safeguards?

1448. Mr. Coll, c.s.—Where an appointment is held direct from the Crown, the Treasury can fix a salary to the appointment, and grant superannuation. The officers in this case do not hold their appointments direct from the Crown.

1449. Mr. Carson, q.c.—In cases where there is no superannuation provided by the Act of Parliament, it is sometimes done by a representation to the Lord Lieutenant, who considers the matter.

1450. Lord Justice FRYGIMON.—If you admit that it can be done by any means, we will alter the clause in any way you wish, if you will give us your valuable assistance in framing it.

1451. Mr. Carson, q.c.—I am instructed to resist such a clause.

1452. Lord Justice FRYGIMON.—Then don't say those people can get superannuation by a representation to the Lord Lieutenant. If they are left as they are, let it be distinctly understood that it is because the Treasury say there is no power whatever at present to give them any superannuation, and refuse to allow us to confer that power.

1453. Mr. Carson, q.c.—If there is not an existing power, you must show under some Act how the power arises to give it to them.

1454. Lord Justice FRYGIMON.—It is a power expedient for the efficient exercise of the powers of the Commission.

1455. Mr. Carson, q.c.—You cannot take a different meaning from the words incidental expenses of the Board, having regard to the words of the 4th section of the Act of George III. There was no superannuation at that time for any person appointed under that section. The incidental expenses contemplated were something different from the salaries paid to the secretary or officers. There is nothing in any section about granting a right to superannuation. As time goes on, the secretary of the Commissioners may have nothing to do, yet the Treasury are to be bound by a declaration, that in respect of an office, over which they have no control, and when you have no specific power given you by the Act, you may yet create a superannuation in respect of services of an entirely different character from those contemplated under the Superannuation Acts.

1456. Lord Justice FRYGIMON.—That is a mistake. The reference to the Superannuation Act in the Scheme is for the purpose of imposing a limitation. The Commissioners of Education wanted an unrestricted power, and we refused to give any power which would not be warranted under the Superannuation Acts. You cannot blow hot and cold. If there is a power to limit the conditions, why not give the power to grant the superannuation?

1457. Mr. Carson, q.c.—This is a clause putting the secretary and officers of the Board of the Commissioners of Education as regards superannuation in as good a position as persons who are appointed by and hold their offices direct from the Crown.

1458. Lord Justice FRYGIMON.—No, but even the

Treasury may not consent to a grant of any allowance to which the officer would not be entitled if he held office direct from the Crown.

1459. Mr. Carson, q.c.—You want to put him in the same position as a party holding direct from the Crown. What we say is that these words, "incidental expenses," on the construction of the section, are specifically limited to something entirely different from superannuation. You cannot in such a case, without express enactment, give superannuation. Superannuation has never been given except by express enactment. Even where there is express enactment the Treasury may refuse to grant it without full inquiry. You are taking a power to grant to any number of officers the Commissioners of Education may think proper to appoint, a superannuation allowance never contemplated by the Act.

1460. Lord Justice FRYGROVE.—Certainly not. The Commissioners cannot appoint any officer at all without the consent of the Treasury, nor can they give any superannuation whatever without the consent of the Treasury. That they are not likely to sanction any improper charge on the public funds is attested in the case of this particular department by their persistence, notwithstanding the Reports of 1858 and 1870, in continuing to force the Commissioners to make payments out of the endowments to their officers which ought to have been charged on the Parliamentary Grant.

1461. Mr. Carson, q.c.—This is merely a question of construction. I fail to see anything in the original Act, or in the Act constituting this Commission, to place these charges upon money that must be voted by Parliament.

1462. Mr. Matheson.—I appear for the Commissioners of Education in Ireland, and it appears to me that Mr. Carson has been arguing a different proposition from what is really before this Commission. He argued as if the Scheme proposed that the Commissioners should have this power without the consent of the Treasury, whereas all it does is to enable the Treasury, if they think proper, to grant superannuation allowances to the secretary and other officers of the Commissioners of Education as if they were persons holding office under the Crown, pursuant to the Superannuation Acts. The words of section 9 are wide enough to give that power. If this Commission is of opinion that it is necessary and expedient for the due management of the endowments, and the discharge of the Commissioners' functions, that they should have their officers placed on the same footing as other civil servants who would be entitled in certain events to superannuation, I utterly fail to see what there is in the seventh clause of the Scheme beyond the powers given them by 48 & 49 Vic., cap. 78, sec. 8. My learned friend is on the horns of a dilemma. If he admits that the Treasury have power to grant superannuation allowances in other cases when they think fit, and as may be necessary and expedient, they must have power to grant superannuation allowances to the officers of this department. It is ridiculous to suppose that the Commissioners of Education must keep on a secretary who is just his work, or must cut him adrift to starve after long and efficient service. I apprehend that under such circumstances it would be difficult to get a man of intelligence and education to accept the office if liable to be sent adrift without superannuation. The thing lies in a nutshell. It all turns on the 9th section, and wider words could not possibly be selected to give power to this Commission. My learned friend says there is no Act of Parliament to enable superannuation to be given to the officers of the Commissioners of Education, but you are now framing an Act of Parliament, and the question is what is expedient and necessary to insert in it.

1463. Lord Justice FRYGROVE.—We must know definitely is it the position of the Treasury that, within

no limits, and under no conditions, is there to be any provision for the superannuation of any officer of the department in question.

1464. Mr. Carson, q.c.—That is my instruction. My contention is that there is no power whatever to create a superannuation.

1465. Rev. Dr. MELLOR.—Your argument is that the words "expense of officers" and "incidental expenses" at the time of the Act of George III. did not cover superannuation, and therefore that they don't cover it now?

1466. Mr. Carson, q.c.—That is my argument; and none of the Superannuation Acts touch these appointments.

1467. Mr. Justice O'BRIEN.—What is your view, Mr. Matheson?

1468. Mr. Matheson.—Under this original Act there was no power of giving a superannuation allowance until the Superannuation Act came in to deal with the case of civil servants. The Treasury, when asked to sanction a superannuation allowance for an officer of this Board, would say—"We have no power to do so, because he does not hold office directly from the Crown," and the power to give superannuation on a position to the Lord Lieutenant is limited to civil servants of the Crown. Your Act of 1885 then comes in, and, as I take it, gives you power to put the Commissioners of Education on what you consider a proper footing, and to endow upon them any additional powers which may appear necessary or expedient for the efficient exercise of their powers. Apart from express words referring in detail to superannuation, it would be very hard to construct general words of wider import than these words. If you come to the conclusion that it is expedient, in order to have proper management, that they should have proper officers, such as the ordinary civil servants are; and if you come to the conclusion that proper men cannot be secured without a superannuation allowance, I submit you have power to give this power, at all events, subject to the consent of the Treasury, who are to be supreme in the matter. You see the difficulty: They have a secretary; he remains in their service for a number of years, and he becomes unfit for the office by reason of advancing years or infirmity; in that condition you must either cast him adrift or keep him on, although he is unfit to discharge the duties of the office. Either alternative is unreasonable. There are two classes of civil servants—one entitled, as of right, to superannuation; another class of necessarily entitled to compensation, but to whom the Lord Lieutenant and Treasury have power to grant superannuation, if they think fit. We only want to have one officer put on the latter footing. You are now constructing an Act of Parliament, and if the case of these officers come within the existing Superannuation Acts, there would be no necessity for the provision of the Scheme. It is your function to put the Board on a proper permanent footing, and one of its necessities is to have a properly qualified and properly remunerated staff, placed in the same position, as regards superannuation, as others holding office direct from the Crown.

1469. Mr. Carson, q.c.—You might as well argue you could increase the secretary's salary to £2,000 a year.

1470. Lord Justice FRYGROVE.—We certainly could increase the salary if it was limited to, say, £200 or £300, or any sum inadequate for the efficient exercise of the powers of the Commissioners.

1471. Mr. Carson, q.c.—I should certainly contend not, where the money is to be voted by Act of Parliament, and no practice creates a right which did not previously exist. How could it be done in reference to an office over which the Treasury or Government have no control?

Mr. Matheson.—It could not be contended for one minute that if the salary was inadequate it could not be increased.

August, 1870

1472. **Rev. Dr. MOLLOY.**—You maintain that the right to provide an adequate staff would involve a power to put the charge on the Treasury.

1473. **Mr. Matheson.**—It would include the power, which admittedly exists, to give a salary to an officer. Suppose, for instance, there were only two officers, and it was considered a third officer was absolutely necessary for the due management of the business of the re-constituted Board, you could direct the Treasury to provide for it.

1474. **Lord Justice Fitzgerald.**—Supposing, instead of diminishing the powers of the Commissioners of Education we had greatly increased them—and there is no doubt that we would have the power to do so—the increased expense should be charged by Parliament. The superannuation code is a code primarily for the benefit of the officers, and I am afraid it is a question of jurisdiction with us if superannuation, however just or desirable for the staff, is unnecessary to the efficient exercise of the powers of the Commissioners.

1475. **Mr. Justice O'Donoghue.**—We are empowered to do what appears to us necessary and expedient for the management and control of the endowment, and for the efficient exercise of the powers of the Commissioners.

1476. **Mr. Matheson.**—Surely, that would carry with it a power to give the secretary a salary?

1477. **Mr. Justice O'Donoghue.**—A salary it might.

1478. **Mr. Matheson.**—Supposing you said in place of salary to give him due remuneration?

1479. **Lord Justice Fitzgerald.**—That brings us back to this point—whether when making the appointment an efficient man can be had without the right to a retiring allowance. Probably it is only “petty wisdom” to refuse it, for the amount of salary should be less if a superannuation allowance was attached to the office.

1480. **Mr. Matheson.**—You would regard superannuation in the moderate view of what was fair and just. Every officer after long service requires superannuation, or desires to be in a position that he can get it if a special case is made for it.

1481. **Lord Justice Fitzgerald.**—The Scheme contemplates that no officer shall be hereafter appointed until he shall have obtained a proper certificate from the Civil Service Commissioners. The object of requiring this certificate was that he should be duly qualified, but if superannuation is refused, and those officers are not admitted to the privileges of the Civil Service, we must strike out the qualification.

1482. **Mr. Carson, Q.C.**—We have sufficient confidence in the Commissioners of Education that they will appoint proper persons.

1483. **Lord Justice Fitzgerald.**—If you have that confidence, you have not read the reports of Commissions after Commission.

I am afraid it is an inevitable result of the objection now made that we must strike out the superannuation clause. This is only a continuation of the course which has been for a long time pursued by the Treasury with respect to this particular department of the Civil Service—“The Commissioners of Education in Ireland.” The Act of Geo. III. enacted that this department should be entirely supported by public funds; first by the Consolidated Fund, and afterwards by money voted by Parliament. The Treasury was to have an adequate salary, not exceeding £700 a year; and such other subordinate officers as were necessary to carry out the Act were also to have salaries. The Commissioners were to certify to the Lord Lieutenant for such sum as they should deem adequate to defray their expenses, and the Lord Lieutenant was authorized to direct the Lord High Treasurer to pay out of the Consolidated Fund all sums necessary to defray the expenses of the Board as to the Lord Lieutenant should seem fit. The Treasury had no control at

that time. They got control by subsequent Acts, and especially by the Act which put this charge off the Consolidated Fund, and on to the moneys annually voted by Parliament. The Endowed School Commissioners, in 1875, called attention to the misapplication of the endowments by paying out of the Charity Estates expenses which should have been paid out of the Parliamentary fund. At page 244 in their report the Commissioners point out that the Commissioners have not acted on any settled principle with respect to the charging of incidental expenses on the Consolidated Fund, and that they have placed to the account of incidental endowments considerable items of expenditure which ought to have been defrayed out of the general taxes. In the report of the Commission of 1879 the subject is also referred to, and the report states:—

“In other instances also expenses of the Board, including even the costs of the ‘Government Account Sheets,’ were thrown upon the property of the schools, and so rule was laid down as to what expenses should be charged to the Treasury, though the Royal Commission, 1854-8, had directed to the illegality of the payment out of the endowments of sums which ought to have been charged on the Consolidated Fund.”

A notable instance of this illegality is the charge of £100 a year for the Clerk of the Commissioners which has been divided amongst the school estates, although he is an officer for whose salary the Treasury is bound to provide. Then comes our Act of Parliament, which directs us to introduce into our Scheme whatever amended powers may appear necessary or expedient for the management of the endowments, or for the efficient exercise of the powers of the Commissioners. Under that clause we framed this Scheme, and whenever it becomes law, we may hope that the new Commissioners will see that all their expenses go on the Treasury, and will no longer illegally throw over on the endowments charges which the Treasury illegally refuses to provide for. But then there arises the question—do we say powers to enact that a superannuation provision in a payment to be certified to the Treasury? Our Scheme proposed to do so under every safeguard reasonably necessary, namely, subject to the consent of the Treasury, and subject to all the limitations which apply to superannuation in other branches of the Civil Service. Is that a power “necessary and expedient for the management and control of the endowments, and for the efficient exercise of the powers of the said Commissioners”? In my opinion, arrived at with great regret, it is not. In my opinion, the superannuation code is directly and primarily intended for the benefit of persons holding offices, and is only indirectly beneficial to the service of the State. Certain departments have been provided with superannuation by express legislation; others are not within the provisions of the superannuation at all; and as the Treasury insists that we shall not extend to this department the provision for superannuation which has been extended to so many other departments of the public service, I am afraid we have no alternative but to yield. We have done our best. We brought the matter before the Treasury two years and a half ago. The Scheme was upon this point twice approved by the Lord Lieutenant and Privy Council, and upon this very point we received from the Castle an intimation that the Chief Secretary's Department made no objection to its provisions; but at the last moment a provision which we consider just and expedient, a provision to which the officials at the Castle have made no objection, must be struck out, because the Treasury insist that, whether with or without their own controlling consent, there shall not be any provision for superannuation in this one department, although it is a department the officers of which must be paid out of the public funds. Regretting very much that the Treasury will not accept even a discretionary clause for the superannuation of these officers, I

feel that against the will of the Treasury it is useless to retain the clause. I apprehend that if we kept it in, the only result would be an appeal to the Privy Council; if the Privy Council thought it *ultra vires*, the Scheme, at great loss of time and money, should be sent back to us; and even if the clause was retained, I apprehend the Treasury would refuse to give their consent, and so the officers would be none the better. For those reasons, I regret to say that I think the clause must be struck out; the last act in a persistent course of dealing towards this Department by which it has been deprived of the full measure of support from the public funds to which existing Acts entitled it, and which the analogy of other public officers would justify it in expecting.

1484. Mr. Justice O'Banion.—Lord Justice FitzGibbon has stated my view, that the power does not exist to maintain this clause providing for the superannuation of the officers of this department. In the

absence of the consent of the Treasury, it is impossible under the statute to extend the principle, or for us to constitute an entirely new class of persons entitled to superannuation, not provided for by the superannuation code. I also regret the conclusion we have been obliged to come to, for I consider it is unreasonable to exclude a class of officers of this kind from the same benefits in respect of superannuation which other civil servants enjoy.

1485. Mr. Conyon, Q.C.—The Treasury would have no power to do it without an Act of Parliament.

1490. Lord Justice Fitzgerald.—Don't say that. It might and would have been done without any Act of Parliament, and under our Scheme, if the Treasury had been content to allow the Lord Lieutenant and Privy Council to approve this Scheme, as has been done in other cases, and had not come forward at the very last moment with this objection.

The Commission then adjourned.

ROXBOROUGH ROAD SCHOOL.

Letter of Rev. J. F. GAZDO in explanation of his evidence.

(See Evidence, page 36.)

I write, in explanation, to state that this case could hardly be called one of admission to the school. The facts are as follows:—In the month of June I received a letter, in which I was asked by the mother of a child to admit her on the grounds (1), that her father was a Protestant, and (2), that she, being in service, could not attend to her. Not knowing the writer, I did not reply to her. About ten days after the mother and child called at my house, after eight o'clock at night, and I was asked to receive the child that night as the mother had to leave Limerick at eight o'clock the next morning and return home. I told the woman that I knew nothing about her, and that, at most, I could only admit the child temporarily, she agreeing to receive the child back on my requiring her to do

so. It was so late I did not like to send the child away that night; as I was going to Kilkee, I intended to inquire into the particulars. In a few days the child was removed by or on the part of the mother. On inquiry I found that the mother had recently been married, so that she had not given me her real name, nor had she the legal guardianship of the child. She had imposed on me—except in the one matter, that the child's father was a Protestant. I did not regard the temporary shelter given to the child, pending inquiry, as the admission of the child to the school.

J. F. GAZDO.

Limerick,
July 8, 1890.

APPENDIX B.

DOCUMENTS.

No. 34.—SCHEME FOR THE ULSTER ROYAL SCHOOL ENDOWMENTS.

AMENDED SCHEME.

No. I. (a.)

OBJECTIONS

LODGED WITH THE CLERK OF THE PRIVY COUNCIL.

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| <p>I. The Intermediate Education Committee of the General Assembly of the Presbyterian Church in Ireland.</p> <p>II. The Presbytery of Armagh.</p> <p>III. Inhabitants of Dungannon and the neighbourhood.</p> <p>IV. Members of Dungannon Protestant Local Board.</p> <p>V. Inhabitants of City and County of Armagh.</p> | <p>VI. Local Committee of Protestant Denominations in the County Fermanagh.</p> <p>VII. William Paul, Member of proposed Armagh Protestant Local Board.</p> <p>VIII. W. H. Gunning, Assistant Master, Royal School, Dungannon.</p> <p>IX. J. C. Fox, Townswillie Teachers' School.</p> <p>X. Right Hon. Lord de Vaux.</p> |
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L.—THE INTERMEDIATE EDUCATION COMMITTEE OF THE GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH IN IRELAND.

I. The Committee object in the strongest manner to the constitution of the Protestant Local Boards for the counties of Armagh and Tyrone respectively. They are of opinion that these Boards should be constituted in the same manner as the Protestant Local Boards for the counties of Cavan, Donegal and Fermanagh—viz., by representatives of the various Protestant denominations in proportion to their numbers amongst the literate population in the several counties respectively. They respectfully submit that the constitution of the Boards for Armagh and Tyrone, as laid down in the original Scheme submitted to the Lord Lieutenant in Council, should be restored, and that for the following reasons:—

1. The evidence taken by the Education Commissioners in Ulster shows that, as a general rule, Protestant schools in Ulster, under the exclusive control of one denomination have failed, whilst Schools under the management of mixed Boards have been almost uniformly successful.

2. In almost every case in which a Protestant School has been successfully established in Ulster by local effort, and without external aid, the various Protestant denominations have united in its foundation and management.

3. In almost every place in Ulster in which the Commissioners set to take evidence, the representatives of the various Protestant denominations expressed their desire to work together in the promotion of education by the establishment and maintenance of common Schools.

4. A very large majority of the proposed members of the various Protestant Local Boards, who are the leaders in Educational matters in their respective districts, have expressed their decided preference for mixed, as opposed to denominational Boards. The Committee would refer especially to the minutes of the meeting held at Portadown, on June 10th, 1889, and to the weighty letter of the Dean of Clogher, of June 9th, 1889.

5. There are no such differences between the leading Protestant denominations in Ulster in regard to matters of religious doctrine and observance as make

it inconvenient in practice to educate their children in common schools, and all the traditions of the Province are in favour of mixed education.

6. There is a large and influential Presbyterian population in the county of Armagh, and a large and influential Episcopalian population in the county of Tyrone, in both cases largely consisting of the classes for whom Intermediate Education is chiefly demanded, and yet neither of these populations has a single representative on the Boards of Intermediate Education for their respective counties. The Committee regard this as an indefensible anomaly, and protest against it as an attempt to drive the Presbyterians of Armagh to seek their education in Tyrone, and the Episcopalians of Tyrone to seek their education in Armagh, when there is no reason whatever why each of these bodies should not share in the advantages and have a voice in the management of the education provided by public funds for its own county.

II. If His Excellency in Council should, contrary to the earnest protest of this Committee, approve of the amended constitution of the Local Protestant Boards for the counties of Armagh and Tyrone, the Committee object to the proposal for throwing the Protestant share of the Armagh and Tyrone Endowments into a common fund and dividing them equally between the Armagh and Tyrone Protestant Boards. The Committee object to this proposal as inequitable and artificial, and as evidently tending to give an undue advantage to the Armagh Local Board.

1. This Committee, when the original Scheme was under the consideration of the Privy Council, whilst strongly supporting the principle of mixed Boards, expressed their willingness, if the principle of denominational Boards were adopted by the Privy Council, to take the Tyrone endowment as an exclusively Presbyterian endowment. The Committee were of opinion that this suggestion had been accepted by the Privy Council, and they had no opportunity of expressing an opinion upon the proposal for an equal division of the endowments. They now emphatically protest against it.

2. The so-called equal division of the Tyrone and Armagh endowments will in reality result in giving an enormous advantage to the Armagh Board—(a) by throwing upon the Tyrone endowment a share of the burden of the compensation for vested interests to the present master of the Armagh School; (b) by taxing the Tyrone endowment for compensation for the private benefactions to the Armagh School as well as for those to the Dungannon School; and (c) by depriving the Dungannon School of the advantage which it had in respect of endowment, and which was less than an equivalent for the advantage of situation enjoyed by the Armagh School as a School for Protestants.

3. The effect of the division of endowments as at present proposed would be to reduce the endowment of the Dungannon School to such a point that it is doubtful whether the school could be efficiently maintained as a place of superior education.

4. This Committee respectfully submit that, as the creation of two denominational Boards for Armagh and Tyrone (if persisted in) will be avowedly done at the instance and in the supposed interest of the

General Synod of the Episcopal Church, there is no reason why the allocation of the endowments should be manipulated so as to prevent the natural consequences of the policy which the Synod has deliberately adopted. The Committee see no reason why the General Synod should have the double advantage of a division of government and an assignment of endowments. They urge, therefore, that this artificial plan for the allocation of endowments should be abandoned, and that the endowments for Tyrone and Armagh, respectively, should be devoted to education exclusively within the areas for which they were respectively provided.

Dated this 13th day of February, 1890.

JAMES HEWITT,

Solicitor of the Intermediate Education
Committee of the General Assembly
of the Presbyterian Church in Ireland.

41, Lower Sackville-street, Dublin.

II.—THE MEMORIAL OF THE PRESBYTERY OF ARMAGH.

HUMBLE SHOWETH

That on behalf of themselves, as Members of said Presbytery, and of the Presbyterians of the county of Armagh, they object to the above Scheme as amended, on the following and other grounds:—

First.—Because Presbyterians are altogether excluded from the Managing Board, and the Members of the Presbyterian Church in the county Armagh will, by the constitution of that Board, as amended, be deprived of all benefits of the Endowments.

Second.—Because the exclusion of the Presbyterians of the county of Armagh is contrary to the intention with which the School was established. To limit the advantages of the Endowment to the Episcopalians, Methodists, and Roman Catholics of the county, and to exclude the Presbyterians, is an application of the funds inconsistent with a clear regard to their origin as a public foundation, the School having been established in connection with the Ulster Plantation for the education of the youth of the county of Armagh; and as many of those planted in said county, and their retainers, were Presbyterians, there can be no doubt the children of such Presbyterians were contemplated and included in the plan of education then provided.

Third.—Because their exclusion is unjust to the Presbyterian population of the county of Armagh, and the hardship will be in no way lessened by placing the Dungannon School under a management mainly Presbyterian.

Fourth.—Because the number of the Presbyterian population in county Armagh entitles them to consideration in the re-organisation of the School. They number upwards of 26,000, and embrace a very large number of the class from which come our Lawyers, Medical Men, Clergymen, Civil Service Employees, and others who require a good education.

And it is regarded as a great injustice that these 26,000 Presbyterians should have no representative on the Local Board, and their children no share in the benefits of the School.

Fifth.—Because under the Scheme as amended the School is not likely to be efficient. The Armagh Royal School under denominational management has failed to furnish a good intermediate education to the youth of the county; and it is believed that under a denominational Board, as the amended Scheme provides, it will be still a failure. In no part of Ireland are there better prospects of success for a good intermediate school than in Armagh: parents living in Armagh being obliged to send their children to Coleraine, Lurgan, Belfast, and other places at present. If the Royal School were open to all the Protestant Denominations and efficiently conducted these would be most certain to be educated at home.

For these and other reasons the Presbytery of Armagh object to the Scheme as amended, and ask that it shall stand as prepared by the Commissioners after such inquiry, and having all the circumstances fully before them, and they press these objections the more urgently because their interests and the interests of their people are directly affected, and not being represented before the Privy Council they had not the advantage of pleading their cause when the Scheme of the Commissioners was before the Court.

And Memorialists as in duty bound will ever pray.

Signed, on behalf of the Presbytery of Armagh
this Seventh day of January, One Thousand
Eight Hundred and Ninety.

R. JEFFREY, M.A., Moderator of Presbytery.

JAMES FORBES, Clerk of Presbytery.

III.—THE MEMORIAL OF INHABITANTS OF DUNGANNON AND ITS NEIGHBOURHOOD.

HUMBLE SHOWETH,

That your Memorialists take a deep interest in the success of the Dungannon Royal School, and believe that the original Scheme of the Commissioners, in which it was proposed to place the management of all the Royal Schools under mixed Boards, would best promote the interests of Education in Ireland.

And whereas it is now proposed to alter the aforesaid Scheme, so as to make the two Schools of Dungannon and Armagh an exception to the plan adopted for the other Royal Schools, to the detriment of those two Schools, as your Memorialists believe.

Your Memorialists therefore respectfully request your Honourable Board will be pleased to return to

the original Scheme in so far as these two Schools are concerned, and replace them exactly in the position provided for in that Scheme.

And your Memorialists as in duty bound will ever pray.

Barfoot, Northland House, Dungannon.
 Yayr H. Burgis, Esq., J.P., B.L., Parknash,
 Castleknock.

Robert Newton, J.P., Killynash, Dungannon.
 A. E. Nicholson, J.P., Lishin, Dungannon.
 Hunt W. Chasins, J.P., Stewartstown.
 James Cusack, Howard-terrace, Dungannon.
 John W. Carpendale, Falkland, Dungannon.
 Henry B. Kelly, solicitor, Dungannon.
 J. Pritchell, J.P., Dungannon.
 John Henderson, J.P., Dungannon.
 T. C. Enslin, Dungannon.
 H. M. Portland, Dungannon.
 Chetwood H. Brown, Dungannon.
 J. Simons, solicitor, Dungannon.
 Robert Stevenson, J.P., Dungannon.
 J. G. Winder Lyle, Donaghmore House.

F. Barcroft, Stungare House.
 A. G. Lowry, Lieut.-Col., Forough Lodge, Dun-
 gannon.
 Robert W. Scott, Beechgrove, Dungannon.
 Henry Wilson, J.P., Ross House.
 John Henry Lowry, Duncareagh, Dungannon.
 Francis Hale, J.P., Dungannon.
 William Twigg, J.P., Dungannon.
 J. C. Sagar, M.D., M.C., Dungannon.
 John M. Anderson, Dungannon.
 John Smith, Dungannon.
 John Langlands, Dungannon.
 Thos. W. Reynolds, Dungannon.
 James Munce, Dungannon.
 F. D. Reil, Dungannon.
 John Alken, J.P., Dungannon.
 John Gray, J.P., Dungannon.
 Wm. Irwin, J.P., Dungannon.
 James M. Hamilton, Town Clerk, Dungannon.
 James Irwin, J.P., Ivy Lodge, Dungannon.
 Thos. Beyer, J.P., Dungannon.

IV.—MEMORIAL OF certain Members of proposed TYRONE PROTESTANT LOCAL BOARD.

RESPECTFULLY SHEWETH—

That having carefully ascertained the opinions of those who are specially interested in the Dungannon Royal Schools, your Memorialists are convinced that to carry out the scheme as originally proposed by the Educational Commissioners will best promote the interests of Education in this district.

Your Memorialists are fully satisfied that mixed Boards at Dungannon and Armagh, same as at the other Royal Schools, will be best for the prosperity of both Schools, and that the pupils in the districts embraced will be benefited and stimulated by the grants of money as provided in that original scheme.

Your Memorialists also object in the strongest manner to the proposal to withdraw a portion of the income

of the Tyrone District and transfer it to Armagh, and pay your Excellency to protect the Tyrone District from this injustice, and to order that Armagh and Tyrone shall remain separate schools and separate districts same as all the other Royal Schools in Ireland.

And your Memorialists will ever pray.

Dungannon, 7th February, 1890.

JAMES BROWN, H. B. WILSON, D.D., W. J. VENABLE, JAMES DICKSON, T. H. ALLEN, WM. WILSON,	}	Proposed Members of the Dungannon Royal School Board.
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V.—INHABITANTS OF COUNTY AND CITY OF ARMAGH.

On behalf of a number of Presbyterians of the city and county of Armagh, assembled in Armagh, we object to the Amended Scheme of the Commissioners of Education in Ireland, dealing with the Endowments of the Ulster Royal Schools, signed by the Judicial Commissioners on December the 6th, 1889, in so far as it relates to the constitution of the Armagh and Tyrone Protestant Local Boards on the following grounds:—

(1st.) Because Schools under the management of mixed Boards succeed in Ulster, while those under purely denominational management, or where all the teachers are of one denomination, do not generally succeed.

(2nd.) Because the changes in the Tyrone Protestant Local Board, as set forth in the said Amended Scheme, would confer no benefit on the Presbyterian

youth of Armagh, while the alteration in the Armagh Board would be directly detrimental to their interests.

(3rd.) Because the Presbyterian population of the county Armagh is 26,000, and embraces a very large proportion of the class from which come our lawyers, medical men, clergymen, merchants, Civil Service employees, and others who require a good intermediate education; they feel it a hardship, to be debarred from having a share in the management of a School to which they would be desirous to send their sons.

Signed on behalf of the aforesaid Presbyterians,

ROBERT G. McCUM, Chairman.
 W. McCUM, Secretary.

VI.—THE COMMITTEE REPRESENTING THE VARIOUS PROTESTANT DENOMINATIONS OF CO. FERMANAGH.

"We object to the portion of section 66 which arranges that the £3,500 we have now to raise to meet the Roman Catholic claim shall be retained by the Commissioners of Education in the event of the premises being sold at any future time. We ask that a clause be inserted to the effect that in case of sale the Commissioners shall hold and dispose of the sum of £3,500 as belonging exclusively to the Fermanagh Protestant Board, and as part of the Endowments to be applied by the said Board in accordance with the provisions of the Scheme, and shall hand over the residue to the said

Board to liquidate the debt incurred in raising the other £3,500 required by the Commissioners."

It is hereby certified that this resolution was unanimously adopted by the meeting of the Committee held this day.

CHARLES T. OVERTON, Chairman.
 S. CUTHBERT MITCHELL, Hon. Secretary.

Enniskillen, 10th January, 1890.

VII.—WILLIAM PAUL, Member of the proposed PROTESTANT LOCAL BOARD for ARMAGH.

Firstly.—I object to the change contemplated in the constitution of the Protestant Local Boards of Armagh and Tyrone, as it will make each Board virtually sectarian.

This will, in my opinion, injure the influence and prospects of each School, for the number of those who are in the position to avail themselves of the Higher and Intermediate Education for their families is comparatively limited, and there are so many competing institutions, both in this Kingdom and Great Britain, that it will require the collective and united effort of all sections of Protestants in each locality to sustain such a School, and such hearty support can only be attained by a Mixed Board, having the con-

fidence and good wishes of the various Protestant denominations. I therefore hope that His Excellency in Council will restore to Armagh and Tyrone the Protestant Mixed Boards as devised in the original Scheme.

Secondly.—I would commend to His Excellency the desirability of considering the claims of the Methodist Church in Ireland when appointing the Ten Commissioners of Education, as from the constitution of the Local Boards it is most unlikely that any Methodist will be elected by them, and I believe there is not any Methodist among the existing Commissioners.

VIII.—W. H. GUNNING, M.A., Assistant Master Royal School, Dungannon.

I beg most respectfully, but freely, to renew my previous objection to the Compensation Clause (No. 74) of the Scheme, on the ground that the retiring annuity awarded me therein is based solely on the limited portion of my salary paid me directly by the Commissioners of Education, no account whatever being had either of the additional salary which I received from the Head Master, or of the other emoluments, in reliance on which I originally accepted, and have for so long continued to hold, my appointment.

As in the objections previously lodged with the Endowments Commission, and also with the Privy Council, I have given the fullest particulars of my case, I shall not here repeat them otherwise than to state that I have now for above seventeen years been First Assistant Master in Dungannon School, and that my past was in no year worth less than £200, and frequently much more. The Scheme now forcibly deprives me of this appointment, and proposes to

compensate me on the assumption that it was only worth £60! This I conceive to be in itself a grave injustice, and its hardship, and the inequality of treatment involved, are obvious, when my annuity is compared with that of the gentlemen holding precisely similar positions in the other Royal Schools. To show this I shall, in concluding, append a table, which, I think, speaks for itself:—

First Assistant Master.	Salary as paid by Commissioners of Education.	Length of Service.	Annuity given by Scheme.
	£		£
W. T. Valencia (Bristol),	200	14 years,	95
Thomas Gordon (Armagh),	160	12 " "	85
F. T. Anderson (Cavan),	200	8 " "	55
W. H. Gunning (Dungannon),	60	17 " "	24

IX.—J. C. FOX, Townavilly Tenantry School.

SIR,—I beg respectfully to state that in my letter of the 2nd of September last, I made no claim whatever for "vested interests" in connection with this School. What I do claim is the right to hold office here on the terms on which I accepted it, subject, of course, to the action of the recognised School authority—the Local Managers.

I have nothing whatever to do with the Commissioners of Education, except in so far as they proceed, through the Education Office of the National

Board, to pay a fixed salary of £20 a year to the teachers, as a qualifying local support for the school. This salary is now two years in arrears, but I presume it will be paid in the course of time.

I remain, sir, your most obedient servant,

J. C. FOX.

The Clerk, Privy Council,
Dublin Castle.

X.—LEON DE VESCI.

SIR,—I beg leave to object to such portions of it as relate to the election of Commissioners of Education, viz. i.—page 7, line 7; "The Local Boards" to line 9; "Scheme" inclusive, page 8, lines 19 and 20; page 9, line 23 to line 43.

I object on the grounds that under this Scheme no other school in Ireland which may in any way be subject to the authority of the Commissioners for Education will have any voice in the election of such

Commissioners. And I submit that it would be unfair to such schools, situated in different parts of Ireland, if the governing body were elected exclusively by the Royal Schools in Ulster.

I am, your obedient servant,

DE VESCI.

To the Clerk to the Privy Council,
Dublin Castle.

OBSERVATIONS OF THE COMMISSIONERS UPON THE FOREGOING
OBJECTIONS.

In obedience to the request of the Clerk of the Privy Council, dated February 14, 1890, the Commissioners respectfully submit the following observations for the consideration of His Excellency the Lord Lieutenant in Council.

The Amended Scheme, signed by the Judicial Commissioners on December 6, 1889, was prepared in strict accordance with the Declaration of the Lord Lieutenant in Council, dated November 5, 1889, with which the original Scheme, dated June 25, 1889, was remitted to the Commissioners.

Before the Amended Scheme was signed by the Judicial Commissioners, a Draft was forwarded to the parties interested, in order that they might satisfy themselves that it was in accordance with the terms of the Declaration. The Circular Letter which accompanied this Draft, and contained a copy of the Declaration is appended hereto.

Various objections to the Draft Amended Scheme were received by the Commissioners, but they did not feel themselves at liberty to depart from the principles of the Declaration, and no changes were introduced into the Scheme, except such as were required to carry out the Declaration.

The principal objections now before the Lord Lieutenant in Council seek to have certain provisions of the original Scheme restored. As to these objections, the Commissioners have nothing to add to their former observations, dated October 17, 1889, which contain a statement of the principles upon which the original Scheme was framed, and set forth the grounds on which those provisions were adopted which the objectors now ask to have again introduced.* The Commissioners do not feel it to be within their province to occupy the details of the original Scheme with those of the Scheme as now amended, in accordance with the Declaration of the Lord Lieutenant in Council.

With reference to the Objection of the Right Honourable Viscount de Vesci, the Commissioners have to observe that nearly all the Endowments heretofore under the control of the Commissioners of Education, except those of the Royal Schools, have already been transferred to independent Governing

Bodies, or Schemes so transferring them are under consideration; accordingly, there will hereafter be few, if any, Schools to which the Objections will apply. As regards any such Scheme, it is to be remembered that ten of the Commissioners of Education will in future be appointed by the Lord Lieutenant.

The Objection of W. H. Gunning, relating to the provision for vested interests, is similar to a former objection which was over-ruled by the Lord Lieutenant in Council. The apparent "inequality of treatment" of which Mr. Gunning complains, and which he seeks to show by a comparison of his anxiety with that of gentlemen holding similar positions in other Royal Schools, arises entirely from the fact that, with the exception of £80 per annum, his present emoluments are paid by the existing Head Master of Dungannon Royal School, out of his own resources, and under a personal agreement with Mr. Gunning, who, therefore, appears to have no larger vested interest in the Royal School Endowments than that for which the Scheme provides.

In accordance with the Declaration of the Lord Lieutenant in Council, a provision has been inserted in the Scheme, clause 74, securing the existing rights of the present Assistant Master.

The objection of the Committee representing the various Protestant Denominations in County Fermanagh is a renewal of a former objection which was over-ruled. The Scheme, clause 66, provides that in the event of the Portora Royal School premises being purchased by the Fermanagh Protestant Local Board, and afterwards sold, the whole of the proceeds shall be treated as an Educational Endowment belonging exclusively to that Board. The Commissioners submit that it would be most inexpedient to introduce the amendment now sought, which would appear to have the effect of enabling the Local Board, in place of raising the required sum of £3,500 and devoting it to the purposes of Education, to borrow it upon the Security of the School premises; thereby burdening their School with debt, at a time when its maintenance, even if it be unimpaired, will certainly tax all their resources.

* Report 1888-89, pp. x., xii., xlv.

CIRCULAR LETTER of the COMMISSIONERS containing DECLARATION of the LORD LIEUTENANT
in Council, which accompanied the DRAFT AMENDED SCHEME.

Educational Endowments (Ireland) Commission,
23 Nassau Street,

Dublin, November, 1889.

SCHEME No. 34—THE COMMISSIONERS OF EDUCATION,
AND ULSTER ROYAL SCHOOL ENDOWMENTS.

I am directed to inform you that the Scheme framed under the Educational Endowments (Ireland) Act, 1880, for altering the constitution of the Commissioners of Education in Ireland, and for the future government and management of the Endowments of the Ulster Royal Schools, has been remitted to the Commissioners by His Excellency the Lord Lieutenant in Council, with the following Declaration:—

1. That the Scheme should provide for the final distribution of the Endowments of each District between the two Local Boards, in the same proportion and on the same conditions as those by which the Scheme proposes to distribute the unknown grants.

2. That the Commissioners of Education should consist of twenty members only, namely, ten Commissioners appointed by the Lord Lieutenant, and ten Commissioners appointed by the Local Boards; and that as regards the appointment of Commissioners by the Lord Lieutenant, the following words be omitted from the end of paragraph 2 of Clause 4 of the Scheme, "and of the five Protestants, one at the least shall be a member of the said Church, one at the least shall be a Presbyterian, and one at the least shall be a Methodist."

3. That the Council see of opinion:—

- (a) That the Armagh Protestant Local Board should consist of eight representatives of "The Church of Ireland," and one representative of the Methodist Church, from the Armagh and Tyrone Districts.
- (b) That the Tyrone Protestant Local Board should consist of eight representatives of the Presbyterian Church, and one representative of the Methodist Church, from the Tyrone and Armagh Districts.
- (c) That the Protestant share in the Armagh School premises be assigned to the Armagh Protestant Local Board, and that the Protestant share in the Dungannon School premises be assigned to the

Tyrone Protestant Local Board; subject in both cases to any just claim for compensation by reason of portions being erected by "The Church of Ireland" or Presbyterian benefactors.

- (d) That the revenues from the Armagh and Dunganon Royal School Endowments, after crediting the Armagh Protestant Local Board with all private Endowments given by donors belonging to "The Church of Ireland," and the Tyrone Protestant Local Board with all private endowments given by donors belonging to the Presbyterian Church, should be allocated equally between the two Boards, and should be applicable according to the Scheme throughout both districts.

4. That more explicit provision should be made for preserving such rights as the assistant masters may have until retirement.

I am also directed to send you the accompanying Draft which has been prepared by the Judicial Commissioners with a view to carrying out the directions contained in the above Declaration. Before signing the Amended Scheme, the Judicial Commissioners have

directed that copies shall be sent to all parties interested, in order that they may satisfy themselves that it is in accordance with the terms of the Declaration.

If the Amended Scheme should appear in any respect to fail in giving effect to the Declaration, the Judicial Commissioners will be glad to consider any observations on the subject which are sent to them not later than December 2, but it is to be remembered that they do not now hold themselves at liberty to alter the Scheme otherwise than in obedience to the Declaration of the Lord Lieutenant in Council.

I am, your obedient servant,
(Signed) WM. EDWARD ELIAS, Secretary.

By Order of the Commissioners,
WM. EDWARD ELIAS, Secretary.
Office of the Commission, 23, Nassau Street,
Dublin, March 17, 1890.

OBSERVATIONS by Dr. TRAILL, Assistant Commissioner, upon the foregoing Objections.

As my brother Commissioners have declined to go into the details of the most important objections brought against the Amended Scheme, viz.—those lodged by the various Presbyterian Bodies, I cannot pass those objections by, without offering a few observations upon them.

These objections take the shape of two demands: 1. To restore the original Scheme in its main provisions. This demand has been slightly referred to in the Observations of the Commissioners. 2. If this should be declined, then to separate the Endowments of Dunganon from those of Armagh, and to hand the former over to the Presbyterians and the latter to the Church of Ireland. The Observations do not refer to this demand in any way.

In my special report to the Lord Lieutenant which appears in the Report of the Commissioners for the year 1887-88, I stated my objections to the principles upon which the Original Scheme was based, and in Clause 3, I used these words:—"If the districts selected in the Scheme are to be adhered to, then each of the principal religious denominations within those districts should receive its own share of the Endowments, while at the same time every facility should be provided whereby different denominations should be enabled to combine their resources, for educational purposes, in such manner as they should think fit and should agree upon."

The Declaration of the Lord Lieutenant in Council of November 6, 1889, upon which the Amended Scheme of the Commissioners is based, coincides in principle in the cases of Armagh and Dunganon

with the first part of what I had advocated above, while the second part is practically carried out in the other three Districts. The former has not been carried out in too favourable a manner towards the Church of Ireland, as is seen in the objections put forward by the various Presbyterian Bodies. The literate populations of the two denominations are practically equal in the Tyrone District, being 27,306 and 28,938 respectively, while the Church of Ireland outnumber the Presbyterians in the Armagh District by 31,447 to 19,456. If, therefore, each denomination were to get its own share of each Endowment according to the test of literate population, the Presbyterians would not get one-half of the Protestant portion of the joint Endowments. Whereas, their proposal, that the whole Endowments (Protestant) of Dunganon should be appropriated to them, while those of Armagh should be relegated to the Church of Ireland, would give them much more than one-half, inasmuch as the Dunganon Endowments are considerably larger than those of Armagh.

If the Privy Council adhere to their decision of November 6, 1889, to give each denomination its own share, allowing these to be kept separate or combined according to the requirements of the special Districts named I submit that it is an essential part of that decision that, for the purpose of the division of the Protestant part of the Endowments of Armagh and Tyrone, those Districts should be combined and considered as one.

ANTHONY TRAILL.

March 17, 1890.

No. 34.—SCHEME FOR THE ULSTER ROYAL SCHOOL ENDOWMENTS.

FURTHER AMENDED SCHEME.

No. I. (b.)

OBJECTIONS

LODGED with the CLERK of the PRIVY COUNCIL.

- I. The Commissioners of Education in Ireland.
 II. The Standing Committee of the General Synod of the Church of Ireland.
 III. The Diocesan Synod of Armagh, and the Diocesan Councils of Armagh and Derry.

- IV. The Roman Catholics of the Fermanagh District.
 V. G. Sheehan, D.D., Chairman of the Congregationalist Union of Ireland.
 VI. William Brown, M.A., Assistant Master, Royal School, Carran.

I.—THE COMMISSIONERS of EDUCATION in IRELAND.

The Commissioners of Education in Ireland object to the 7th Section of the Scheme for altering the constitution of the Commissioners of Education in Ireland, and for the future government and management of the Endowments of the Ulster Royal Schools; and submit that the said Section should be amended by omitting the words commencing (in line 10 of that Section) with the words, "and every Secretary and other officer so appointed after the passing of the Act," and ending with the words "in lieu of notice," in line 15.

The Commissioners of Education desire this Amendment upon the following grounds, viz. :—

The words of the Section, immediately preceding those proposed to be omitted, give every power which

should with justice be given to any employer; while the latter words appear only to add the power of arbitrary dismissal. For the Scheme does not contain any provision for an appeal from the decision of the Governing Body, which might have been inserted in pursuance of the 16th Section of the Act; and such decision will therefore be final upon the question of misconduct or inefficiency. And it should be observed that all the requirements of the 16th Section of the Act will be complied with by the Section of the Scheme after the omission of the words objected to.

(Signed), JEFFERY M'DOWELL, Secretary.

II.—THE STANDING COMMITTEE of the GENERAL SYNOD of the CHURCH of IRELAND.

That the Ulster Royal Schools, which were all Boarding Schools, were ever since their foundation in connection with the Church of Ireland, the Masters having been always members of that Church, and the Schools having been used by Irish Clergymen for the education of their sons as schools in which the doctrines of the Church were taught and its worship maintained.

That in the opinion of the Standing Committee of the Church of Ireland, while no claim is preferred for a return to the former exclusive possession of the Endowments of these Schools, it may fairly be expected that in part the power shall be retained of maintaining by aid of these Endowments an efficient

Boarding School for the children of the said Church; that Boarding Schools efficient in religious and moral training cannot be maintained under a mixed Board; and that the proposed Scheme leaves no prospect of the constitution of such a School as is desired in connection with any body except the Roman Catholic Church.

Dated the 16th day of October, 1890.

(Signed),

MURRAY W. JELFITT, LL.D., } Hon. Secs. of Stand.
 WM. E. MEADE, D.D., } ing Committee.

III.—THE DIOCESAN SYNOD of ARMAGH and the DIOCESAN COUNCILS of ARMAGH and DERRY.

The Diocesan Synod and the Diocesan Councils strongly object to the provisions of the Further Amended Royal Scheme, on the ground of the injustice which it does to the whole Church of Ireland, and especially to the members of the Church in the Armagh and Tyrone Districts, in the following particulars :—

1. That it deprives the Church of Ireland of a separate School for the education of its own children.

2. That it gives an undue proportion of the Royal School Endowments in the Armagh and Tyrone Districts to the Roman Catholic Boards, as it proposes to give them one-half of the Endowment in each district; whereas upon the basis of the literate population they are only entitled to 37.65 per cent. in the Armagh District, and 44.26 per cent. in the Tyrone District.

3. That it gives an inadequate representation to the Church of Ireland on the Tyrone Protestant Board, as it proposes to give the Church only three seats on a Board consisting of nine members; whereas upon the basis of the literate population it is entitled to at least four seats.

(Signed), WM. E. MEADE, D.D.,

Archdeacon of Armagh, and Secretary to the Diocesan Synod and Council of Armagh.

October 13, 1890.

NOTE.—A copy, in favor of the above objection has been lodged by Rev. H. Baskington, D.D., Secretary, on behalf of the Diocesan Council of Derry.

IV.—THE ROMAN CATHOLICS of the FERRMAGH DISTRICT.

MY LORDS AND GENTLEMEN.—Being deeply interested in the Scheme for the future management of the Portora Royal School Endowment, and authorized to speak in behalf of the Roman Catholics of the district, we come before you to object to the 66th Clause of "The Further Amended Scheme" (dated August 14th) for the management of the said Endowment.

The Scheme proceeds on the principle of dividing equally between the Protestant and Roman Catholic Bodies the entire proceeds of the Endowment, embracing the school premises as well as the entire capital and savings of the Endowment. This principle was fully and to all appearance sincerely consented to by all the parties concerned, and this principle underlies and governs the entire Scheme. The Portora School premises, the buildings and land attached thereto, were assumed to be worth £7,000, Her Majesty's Secretary of State for War having offered that sum for them. The Protestant community, through a representative committee, expressed a desire to get possession of the premises in order to conduct a Protestant Intermediate School in them. The Roman Catholics consented to this arrangement on condition that the Protestant Committee should pay over or give security for £5,500, which sum should go to the Roman Catholic share of the Endowment. This arrangement was fully discussed at the Public Meetings of the "Educational Endowments Commission," was acquiesced in by all the parties, and has been duly embodied in the Scheme (66th Clause).

The "Commissioners of Education in Ireland," in their Report for 1888-90, declare that they have in their hands £650 saved from the Portora Royal School Endowment, and announce their determination to expend this sum in fitting out the Portora School buildings for educational purposes as soon as the Ferrmagh Protestant Board shall have taken over the premises. I append the paragraph taken from said Report:—

"*Ennistellen*.—The Committee representing the various Protestant denominations of Ferrmagh have informed us that it is their intention to avail them-

selves of the option given them by the 66th section of the Scheme for the Ulster Royal Schools, and to continue to use the Ennistellen premises for the purposes of a school, and they have applied to us to put the buildings at Portora into a condition fit to be at once fully occupied for educational purposes prior to handing them over to the Ferrmagh Protestant Local Board. During the last five years the School has practically collapsed; and we have confined our expenditure on the buildings to what was absolutely necessary to prevent grave permanent injury. There has accordingly been a sum of about £650 saved in respect of expenditure upon repairs; and we propose, upon the transfer of the School to the Protestant Local Board being secured, to expend this sum in accordance with the application of the Committee."

This is clearly a proposal to expend a portion of the common fund for the exclusive benefit of one of the parties.

If this proposed allotment of the £650 be permitted, we object to the 66th clause of "The Further Amended Scheme" in the name of the Roman Catholic community, and we ask that the Portora Royal School premises be given to Her Majesty's Secretary of State for War at £7,000, which sum he has offered without asking any previous expenditure on them. If, however, it be considered advisable to allot £650 out of the savings of the Endowment, to enable the Protestant Board to equip their School, we respectfully ask that a similar allotment be made out of the savings of the Endowment, to go towards the equipment of the Roman Catholic School.

(Signed), **✠ JAMES DONNELLY,**

R. C. Bishop of Clogher and Member of the proposed R. C. Board for Ferrmagh District.

(Signed), **THOMAS SMOLEEN,**

Archdeacon and V. G., Parish Priest of Ennistellen, also a Member of the said Board.

Bishop's House, Monaghan,
2nd October, 1890.

V.—**C. SHELTON, D.Lit., Chairman** of Congregational Union of Ireland.

College Square, E., Belfast.
October 16th, 1890.

SIR,—I am aware that it is very late to enter an objection to the Royal School Schemes, but the reason is, that it was only recently we learnt the constitution of the Protestant Local Boards of ARMAGH, TYRONE, and FERRMAGH, and that on these governing bodies only Protestants of three denominations have a place. It falls on me individually to act, as I only heard by telegram from the Commissioners to-day, that an objection would be in time, but I shall be glad to hear from you as to further proceedings, so that the

other enrolled denominations may join in action. We would ask either that the ninth member of these Boards should "represent other Protestant denominations," as on the Cavan and Donagall Boards, and not the Methodist Conference only, or that a tenth member be added to represent "other Protestant denominations."

(Signed), **C. SHELTON,**

Chairman of the Congregational Union of Ireland.

Clerk to the Privy Council in Ireland.

VI.—**WM. BROWNE, R.A., Assistant Master, Royal School, Cavan.**

In reference to the Scheme, the Commissioners of Education in Ireland, and the Endowment of the Ulster Royal Schools (Further Amended Scheme), I beg to propose that the present Assistant Masters of the Royal Schools be given the option of a retiring allowance or a commutation sum in accordance with

the provisions of the Pensions Commutation Act, 1871.

(Signed), **WM. BROWNE, R.A.,**

Assistant Master, Royal School, Cavan.

September 30th, 1890.

OBSERVATIONS OF THE COMMISSIONERS UPON THE FOREGOING
OBJECTIONS.

In obedience to the request of the Clerk of the Privy Council, dated October 17, 1889, the Commissioners respectfully submit the following observations for the consideration of His Excellency the Lord Lieutenant in Council.

The Amended Scheme dated December 6, 1889, was remitted to the Commissioners on May 19, 1890, with the following Declaration of the Lord Lieutenant in Council:—

1. That the Scheme be altered so as to provide, as in the original Scheme, for mixed Boards in the Armagh and Tyrone Districts, consistent as in the original Scheme.

2. That the Armagh Endowment and the Tyrone Endowment, respectively, be divided between the Protestant and Roman Catholic Boards of those districts,

in equal shares, as is the case of the other District under the Amended Scheme.

3. That the Scheme be altered and restored to its original provisions as to the private benefactions included in the Endowments.

4. That the Scheme be altered so as to enable the Fermanagh Protestant Local Board, in providing the sum of £1,500, required to be paid under Clause 66 of the Scheme, to secure a portion thereof, not exceeding £2,500, by charge upon the Portora Royal School premises, if the balance shall have been raised by voluntary contributions, in accordance with Clause 64 of the Amended Scheme, and to empower the Commissioners of Education to take all necessary steps to carry out this arrangement.

The Further Amended Scheme gives effect to the foregoing Declaration.

I.—OBJECTION OF THE COMMISSIONERS OF EDUCATION.

In the Original Scheme dated June 28, 1889, and in the Amended Scheme dated December 6, 1889, the Commissioners had provided, in Clause 7, for the superannuation of officers with the consent of the Treasury, subject to the limitations of the Superannuation Act; and had required that all officers appointed after the date of the Scheme should obtain Civil Service Certificates. The Lords of Her Majesty's Treasury, since the Scheme was last remitted, required the omission of the provision for Superannuation, and the Judicial Commissioners were of opinion that they had no power to insist upon its retention.

The Commissioners of Education now desire a further amendment by which they would be enabled to appoint their officers "during good behaviour."

The Scheme preserves the vested interests of those holding office at the date of the Act, and it is submitted that, under Section 10, it would not be competent to authorise the creation of freehold offices in future.

Having regard to the constitution of the Commissioners of Education under the Scheme, it does not appear right or necessary to subject them to any appeal as to the misconduct or inefficiency of those in their employment; and it may be assumed that they would not give notice of dismissal without adequate cause.

The effect of yielding to the objection would be to restrict the Commissioners in the control of their own officers.

II. and III.—THE STANDING COMMITTEE OF THE GENERAL SYNOD OF THE "CHURCH OF IRELAND," THE
DIOCESAN SYNOD OF ARMAGH, AND THE DIOCESAN COUNCILS OF ARMAGH AND DERRY.

(1.) These objections in effect seek to restore certain provisions of the first Amended Scheme, and to reverse the last Declaration of the Lord Lieutenant in Council. The Commissioners respectfully refer to their Observations on the Original Scheme dated October 17, 1889, and to repeat their opinion, founded on the evidence taken by them throughout Ulster, that the most efficient Protestant Boarding Schools in that part of Ireland are maintained under "Mixed Boards."

Since the publication of the Further Amended Scheme, the Members of the proposed Protestant Local Board of Fermanagh have undertaken the re-establishment of Portora Royal School; and the Coleraine Academical Institution, and the other Boarding Schools established in Ulster under mixed Boards formed under the Act, have continued to make satisfactory progress; while the Commissioners are unaware of the existence of any successful "Separate School" in connection with the "Church of Ireland" in that Province.

(2.) The division of the Royal School Endowments of each district into equal moieties was introduced into the first Amended Scheme in obedience to the Declaration of the Lord Lieutenant in Council. The Original Scheme proposed that a large part of the

aggregate Endowments should be divided between the different Schools of the whole Royal School District, in proportion to the educational work done.

(3.) The Presbyterians, being the most numerous Protestant denomination among the literate population of the Tyrone district, are entitled to five members of the Tyrone Protestant Local Board, upon the same principle by which five Church members are placed upon the Fermanagh and Armagh Boards; the smaller denominations are represented upon each Board by one member, and the remaining three seats are given to the members of the "Church of Ireland."

The Commissioners refer to their former observations in which they have pointed out that the Protestant share of the net annual value of the Royal School Endowments in the three districts of Armagh, Carrick, and Fermanagh, in each of which the members of the "Church of Ireland" have a clear majority upon the Board, amounts to £1,568 11s. 3d., while in the two districts of Tyrone and Donegal, where the Presbyterians have a majority, the annual value of Endowments is £612 17s. 2d.

They would also refer to clause 53 of the Scheme, which empowers the Protestant Boards to allocate their share of endowments by voluntary arrangement.

IV.—THE ROMAN CATHOLICS OF THE FERMANAGH DISTRICT.

In framing the Amended Scheme in accordance with the Declaration, the Commissioners proceeded upon the principle that the value of the School buildings and the funds accumulated at the date of the Scheme should be equally divided between the Protestant and Roman Catholic Local Boards.

The Commissioners acceded to the desire of the Fermanagh Protestant Local Board by giving them a right of pre-emption of the Porters School premises, but they did not intend thereby to diminish the share

which the Roman Catholic Local Board would have received, if the offer of the War Office had been accepted; nor that any expenditure which would increase the value of the premises for the benefit of one of the parties should be made out of the common fund.

The Commissioners beg to refer to the report of the proceedings before them, which led to the adoption of the provision giving an option to the Fermanagh Protestant Local Board to purchase the Porters premises at the price offered by the War Office.

V.—C. SHIELDS, D.Lit., Chairman of Congregational Union of Ireland.

In the Arragh, Tyrone, and Fermanagh districts, the percentages of the literate population of "all other denominations" than those directly represented under the Scheme, are respectively 2.78, 1.32, and .6; while the percentages of the Methodists are 3.98, 2.44, and 4.2. Under these circumstances, it appeared to the Commissioners that the Methodists had a

better claim to representation in those districts than the smaller denominations taken collectively. It would be impossible to add a tenth number, or to provide representation for small minorities, without altering the balance of denominations upon which the constitution of the Protestant Local Boards has been based since the first publication of the Scheme.

IV.—WILLIAM BROWNE, B.A., Assistant Master, Royal School, Cavan.

The Scheme provides a retiring allowance for the assistant masters, upon the discontinuance of their services. It does not appear to the Commissioners to be expedient to charge the Endowments with bulk sums by way of compensation.

Until this objection was lodged with the Privy

Council, no assistant master applied for a power to commute his retiring allowance.

Signed by order of the Commissioners,

N. D. MURPHY, Assistant Secretary.

Office of the Commission,
23 Nassau Street, Dublin, October 22, 1890.

No. 34.—SCHEME FOR THE ULSTER ROYAL SCHOOL ENDOWMENTS.

No. I. (c.)

OBJECTION

OF THE TREASURY TO CLAUSE 7 OF THE AMENDED SCHEME.

It is submitted that the Clause is open to the following objections:—

(1.) That the Moneys voted by Parliament under 53 Geo. III., cap. 107 and 17 and 18 Vic., cap. 94, i.e. charged by the former Act to Consolidated Fund, and transferred by the latter Act to votes—are not an "Educational Endowment" within the meaning of that term in section 1 of 48 and 49 Vic., cap. 78, and that therefore, the Commissioners appointed under that Act have no power to make regulations affecting the Officers of the Commissioners of Education who are paid out of such Voted Moneys.

The Commissioners appointed under the Act 48 and 49 Vic., cap. 78 have power under sec. 6 "to alter the constitution of the Governing Bodies" amongst whom the Commissioners of Education are expressly included by section 1. They have also power under section 9 "with the consent of the Commissioners of Education by any Scheme or Schemes under their Act to confer upon the said Commissioners of Education all or any such further, additional, or amended powers as may appear necessary or expedient for the management and control of the Endowment vested in or controlled by the said Commissioners of Education or for the efficient exercise of the powers of the said Commissioners."

The powers so conferred, however, must, it is submitted, be powers similar to, or in extension of, those previously enjoyed, and powers such as have hitherto been exercisable only by Parliament, or by the Treasury acting in pursuance of statutory authority.

Under section II. the Commissioners have power to deal with "vested interests" of individuals holding any office, &c., "arising out of the Educational or other Endowment" at the date of the passing of the Act; and under section 12 they have power to deal with "interest acquired after the passing of the Act" in or relative to any office, place, employment, pension, &c., in the gift of any such Governing Body.

It is submitted however that this last section must be read with the preceding one, and that the office or pension, &c. must be one arising out of the Educational Endowment, and not arising out of Moneys voted by Parliament.

(2.) That the Commissioners appointed under 48 and 49 Vic., cap. 78 have no power to charge superannuation allowances upon the "incidental expenses" of the Commissioners of Education.

The obligation imposed upon the Consolidated Fund by section 4 of 53 Geo. III., cap. 107 is to pay certain sums for salaries and certain other sums for incidental expenses and expenses of said Officers; and it is submitted that, upon the true construction of the words of the Statute, sums of money required to pay a retiring pension to a former Secretary cannot be said to be required for "incidental expenses."

But the Draft Scheme, if valid, would make the superannuation allowances payable out of such incidental expenses, and would thereby increase the burden thrown upon the public funds in excess of that authorized by Parliament.

THE LIMERICK ENDOWMENTS.

II. (a.)

OBJECTIONS TO

SCHEME No. 90.—THE DIOCESAN SCHOOLS AND BANAGHER ROYAL SCHOOL ENDOWMENTS.

SCHEME No. 94.—THE LIMERICK ENDOWMENT FOR TECHNICAL EDUCATION.

SCHEME No. 95.—THE LEAMY ENDOWMENT.

SCHEME No. 90:—

I.—Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.

II.—The Rev. Canon J. F. Gregg.

III.—James Quin, Esq., J.P.

SCHEME No. 94:—

I.—Rev. Thomas Head, S.J.

II.—Rev. Thomas Browne, P.P.

SCHEME No. 95:—

I.—Most Rev. Dr. O'Dwyer, Lord Bishop of Limerick.

II.—Do. do. (Amendment).

III.—The Existing Governing Body of Leamy's School.

SCHEME No. 95—continued.

IV.—James Quin, Esq., J.P.

V.—W. Wilson Mercer, Head Master.

VI.—Miss Mary Mercer, Head Mistress.

VII.—Samuel Moore, Assistant Master.

SCHEMES Nos. 90, 94, and 95 (JOINT OBJECTIONS):—

I.—The Diocesan Council of Limerick.

II.—The Deacon's Court of the Protestant Church, Limerick.

III.—The Congregation of Wesley Chapel, George Street.

IV.—The Congregational Church, Limerick.

V.—The Bedford Row Methodist Congregation.

SCHEME No. 90.—THE DIOCESAN SCHOOLS AND BANAGHER ROYAL SCHOOL ENDOWMENTS.

OBJECTIONS.—I. The Most Rev. Dr. O'DWYER, Lord Bishop of Limerick.

I object to the sum of £476 15s. 5d. allowed to Mr. Gregg for his outlay upon the Roxborough Road School:—

1. On the ground that no account in detail, properly vouched, has ever been given in evidence publicly, as far as I know, of this outlay.

2. That there is not evidence that this outlay has been made in permanent, as distinguished from current, necessary expenditure, or that it has been judicious, or has added to the value of the premises.

3. That it gives Mr. Gregg credit for his outlay from November, 1874, to 18th December, 1879, during which time he was not a tenant of any legally constituted body, but simply occupied the premises and spent money as then at his own risk, having got possession in an underhand, if not fraudulent manner.

4. From whatever sum Mr. Gregg expended on permanent improvements should be deducted a fair rent

—his own estimate of that was £30 a year—during the period already referred to, during which he paid no rent whatsoever; and account should be taken, in the interest of the ratepayers of the city and county, of the £30 a year which he has been allowed for the last eleven years for repairs.

If, then, Mr. Gregg's outlay on useful permanent improvements since 18th December, 1879, be ascertained, and from it be deducted a fair rent since he went into possession, I think it quite reasonable to allow him the balance, otherwise the proposition is only a cover for giving him so much of the property of the city and county of Limerick for nothing.

✠ EDWARD THOMAS,

Bishop of Limerick.

22nd September, 1880.

II.—The Rev. Canon GREGG, Rector of the Parish of St. Laurence, and Incumbent of Trinity Church, Limerick.

By the provisions of the Draft Scheme, it is proposed, that the Commissioners of Education shall put up for sale by public auction, all their estate and interest in the lands and buildings known as the Roxborough Road School, and described in the first Schedule, part 4.

To this proposal, so far as it relates to the sale by public auction of the estate and interest of the Com-

missioners of Education in the lands and buildings known as the Roxborough Road School, I object for the following reasons:—

1. The School-house is situated in my parish of St. Laurence. On Dr. Hall discontinuing the Diocesan School (as stated in the Draft Scheme), I entered into negotiations with him to take the building and land, and on his death I acquired possession thereof by purchase

from his widow in the year 1874, from which time I have been in possession of them.

2. At the time of my obtaining possession of the school buildings I found them in a very dilapidated state, and in need of considerable outlay to put them in a proper state of repair. When fit for occupation, I opened a school in the building, which I have since carried on under the name of the Roxborough Road Female Free School.

3. The said School-house being situated in my parish, in which there was no other building available for a school-house, and having been purchased from Mrs. Hall, that several persons were seeking to obtain possession from her of the school buildings (as it was very generally believed that the Commissioners of Education had not sufficient title to disturb any person in possession), I was anxious for these reasons to acquire the same, not only to establish my School there, but also to preserve the property still in connection with the Church of Ireland, and to prevent its being lost to the Protestant Community of the City of Limerick. On my acquiring such possession, I communicated the fact to Dr. Kyle, the Secretary of the Commissioners, and subsequently I acknowledged their title and accepted a tenancy under them at £20 a year. I believed, at the same time, if I chose to disavow their title, my possession could not have been disturbed. Thinking that it was right, and influenced by a message which I received through Mr. (now Sir James) Spaight, from an influential member of the Commissioners, Lord Justice FitzGibbon, "not to dispute the title of the Commissioners of Education," I signed the agreement for the tenancy under the Commissioners.

4. At each inquiry of the Commissioners held in Limerick, I voluntarily attended and gave evidence before them, on each occasion meeting and refuting the erroneous and unsupported objections made by the Roman Catholic party, against my mode of conducting the school.

5. In support of my occupancy of the school premises—and of the usefulness and efficiency of the school carried on by me in them, I refer to the fact that the Protestant Community of the City and County of Limerick approve of my possession of said building, and of my mode of conducting the school therein; also to my evidence and reports of the Commissioners, showing the usefulness of the school; and in further support thereof to a resolution of the Diocesan Council of the Diocese of Limerick embodied in their objections to the Draft Schemes for the Limerick Endowments, a copy of which I enclose.

6. I submit, that had I not saved the property by purchasing it from the widow of the late Dr. Hall, and gone into possession, it would have passed into other hands, and consequent on the defective title of the Commissioners, it would have been lost. I also submit (which the Commissioners acknowledge), that my expenditure in repairs, has preserved the existence of the property, which otherwise would have become completely ruinous and uninhabitable, as the Commissioners of Education had no funds available to expend upon it.

7. Your Commissioners having at first recognised the strong claim I had to the School building, and the usefulness of my School, proposed to me to accept a Scheme. This Scheme I consented to take, at the same time intimating to them, my desire to purchase the School premises. Subsequently at their request, I submitted the names of Trustees, which were approved of. The Scheme was then drawn up, and sent to me for my approval. Having been amended by me, it was returned, but since then no intimation of its withdrawal has been given to me, until the new Draft Scheme was published on the 4th of August.

All of which I submit as my objections and amendment to the Draft Scheme.

8. On the 22nd of July, 1890, before the publication of the Draft Scheme, I by letter to the Commissioners, offered to purchase the school building and land at

£400, and to forego my claim (which is admitted by the Commissioners in their Draft Scheme), to the sum of £276 15s. 6d., expended by me on repairs of the building, which makes the purchase money offered by me amount to £276 15s. 6d., or nearly 44 years purchase of the rent.

9. The withdrawal of the first Draft Scheme, and the substitution of the present proposal by the Commissioners, to sell the place by public auction, thus refusing to recognise my right to pre-emption, put forth by me at each inquiry held by the Commissioners, appears to me to be a yielding to an unjust clamour, and places me in the unfavourable position of seeking to acquire a title to the place by competitive purchase.

I submit therefore, that this proposed action of the Commissioners is unjust towards me for many reasons, some of which are briefly as follows:—

1st.—My action of purchasing,—getting up possession of, repairing and maintaining of the property, and subsequently acknowledging the title of the Commissioners, has saved the property, which otherwise would have been acquired by others, and would have been lost to the Commissioners, entitling me to a pre-emption. The proposal to deprive me of this, and to put me to competitive purchase is unjust and unfair when my offer to purchase is liberal and reasonable.

2nd.—I am in possession with the recognition and sanction of the Commissioners of Education, and with the approval of the Protestant Community of the County and City of Limerick, and my School is recognised and approved of by them. Nor has any claim been made, or objection lodged with the Commissioners by any member of the Protestant Community in opposition to my possession of the School premises.

3rd.—That your Commissioners have not adopted a similar course to that proposed by them in this Draft Scheme, in any other case brought before them, but on the contrary, in their Draft Schemes for the Leamy School, and the Mungret College, they have named a fixed sum at which they propose to give or sell the buildings to those in possession of them.

4th.—That a similar School-house (the Diocesan School building in Waterford), in possession of a Roman Catholic Community, was sold to them as being in possession, by your Commissioners.

5th.—That the School premises which have been now in my possession for nearly sixteen years are the only available premises for school purposes in my parish of St. Laurence, of which I am Rector since 1863, and if, as the result of the proposed sale by public auction, they should pass out of my hands, an efficient Parochial School will thereby be destroyed, a result which is entirely at variance with one of the objects for which the Commissioners were appointed.

PROPOSED AMENDMENT.

The amendment which I propose to the published Draft Scheme, is:—That the Commissioners shall value the School premises, as they have done in the other Limerick cases, *namely*, the Leamy School Buildings, and the Mungret College land and buildings, and offer them at such valuation to me, allowing me the £276 15s. 6d. expended by me on the School premises, out of the sum named by them as the selling value;—or that they accept my offer of £400 with the condition that I forego my claim to the sum of £276 15s. 6d. which I expended on the premises, for the estate and interest of the Commissioners in the land and premises, known as the Roxborough Road School, Limerick, and described in the 1st Schedule of Draft Scheme, part 4.

Dated at Limerick, this 30th day of September 1890.

JAMES FITZGERALD GREGG,

(Canon of St. Patrick's National Cathedral),
Rector of St. Laurence, and
Incumbent of Trinity Church, Limerick.

III.—JAMES QUIN, Esq., J.P., George-street, Limerick.

Inasmuch as the Rev. Mr. Gregg got possession of the Roxborough Road School in November, 1874, by underhand means and held it illegally, rent free, till 1st January, 1880, when he accepted at a fair rent the sum of £20 per annum fixed by the Commissioners in Dublin; and inasmuch as such rent was practically never paid, but was allowed to the Rev. Mr. Gregg as a set-off against expenses he incurred for repairs and the like, I hold that £20 a year should be calculated from November, 1874, and debited to his account.

The sum of £476 18s. 5d. Rev. Mr. Gregg claims

to have expended in improvements should be carefully examined and vouched for, and all items, except for permanent improvements disallowed.

The School should then be put up to auction and sold to the highest bidder, and the proceeds (after paying Rev. Mr. Gregg the difference, if any, between the sums he expended in permanent improvements and the rent at £20 a year since November, 1874), be applied for educational purposes in the City of Limerick.

JAMES QUIN.

1st October, 1890.

SCHEME No. 94.—THE LIMERICK ENDOWMENT FOR TECHNICAL EDUCATION.

OBJECTIONS.

I.—Rev. THOMAS HEAD, S.J., Rector of Mungret College.

Mungret College,

September 27th, 1890.

SIR,—You will oblige me very much if you inform the Commissioners of Irish Educational Endowments that the Managers of Mungret College consider the price, two thousand five hundred pounds, set on it in the new Scheme for the Limerick School of Technical Education, and the alternative rent of one hundred and twenty-five pounds a year, as excessive, and that they ask for a material reduction of these terms.

The Managers never would have taken the place in 1883, if they had foreseen they would have to buy it out, even for one-fourth of the above-mentioned price, as they considered that even in renting it for seventy pounds a year, which rent, moreover, it was understood, was to be given to the pupils of the College for prizes, they ran as great a risk as they could presently encounter, since the College had already failed twice, and could not be put in proper working order without the expenditure, even in the very first year, of considerably more than a thousand pounds, besides the cost of furnishing it.

The Managers therefore think it very hard, that now, when trusting in the validity of their lease, they have spent thirteen thousand pounds on new buildings and other improvements, they are called upon to pay a thousand pounds more than they consider a fair price, or than they believe would be got for the place if it were in the same condition it was when they leased it from the Trustees, and were now set up for public auction.

The lands attached to the College were originally bought by the Trustees for a thousand pounds, and certainly cannot be worth more at present, as land has fallen very much in value since the time of that purchase.

It is true that the College cost a large sum to erect; but then it is quite unfit for a private dwelling, and, as far as farming purposes are concerned, it is a mere incumbrance; no farmer would take it for nothing if he were bound to keep it in repair.

It seems odd only for what it was intended, that

it is to be, a College, and as a College, no one but the present proprietors could be got to take it from the Trustees, when asked in much more prosperous times than the present.

Large buildings of the kind at a distance from towns are now quite unsaleable in the south of Ireland, and even in this very County of Limerick, there are magnificent mansion houses, and vast mills erected at far greater cost than Mungret College, which the owners would now gladly sell for a tenth, or a twentieth part of the money spent in building them, but can find no purchasers.

The case of Mountshannon, the seat of the Earls of Clare, is a striking example of this. It is beautifully situated on the banks of the Shannon, about the same distance from the City of Limerick as Mungret. It is one of the largest and finest houses in Munster, and must, with its offices, have cost thirty thousand pounds at least, and probably it cost twice that sum. There is a noble domain of about nine hundred and fifty acres of excellent land attached, that is nearly fourteen times as much as the farms of Mungret College. Yet when this splendid property was offered for public sale a few months ago in Limerick the highest sum that was offered for it was only fifteen thousand pounds, which was the bare value of the land by itself. The stately mansion house, with the out-offices, stables, and farm buildings, not seeming to add one single expense to the price, but if anything rather to diminish it.

If Mungret College and farms were to be sold at proportionately the same terms, the most that would be got for them would be about eleven hundred pounds, which is not half the price now demanded by the Commissioners in the new Scheme for Technical Education in Limerick. The Managers, therefore, hope that a reduction of one thousand pounds will be made in this price, and a proportionate reduction in the alternative rent that has been fixed for the College and lands.

(Signed) THOMAS HEAD, S.J.,

Rector of Mungret

II.—Rev. THOMAS BROWNE, P.P.

Loughmore, Limerick,

August 26th, 1890.

SIR,—I received the Report of the Educational Endowments Commission some short time ago, and I feel myself called on to make some observations on that part of it which regards the Mungret Male National School.

I beg leave to thank the Commission for the grant of £100 for the new Male School, but I believe the Act of Parliament, and of the Lord Lieutenant of the time, had given and determined that site in 1861, as well as the Female School, with the premises annexed thereto.

The Mungret School has the first claim on the Commission, and I expected that it would provide

more generously for its future efficiency. I intend that agriculture shall be taught practically at the School, and for that purpose there should be five or six acres of land at least attached to the School.

I now make this formal application on the matter,

and I trust that the Commission will regard it as coming next to the intention of the original foundation, and of the present Scheme.

(Signed), THOMAS BROWNE, P.P.

SCHEME NO. 95.—THE LEAMY ENDOWMENT.

OBJECTIONS.

I.—Most Rev. Dr. O'DWYER, Lord Bishop of Limerick.

The proposal to divide this Endowment seems to me necessary for the efficient working of it, but I cannot understand the principle of division. The Protestants of Limerick are one-eighth of the population, their poor are about one-twentieth of the poor, and yet it is proposed to give them one-third of the whole Endowment.

According to their numbers they are entitled to £1,500; it is proposed to give them £4,000. As far as I can see there are just as many reasons for giving them one-half the whole, or reversing things, and giving them three-fourths of it.

It must be borne in mind that there are no special circumstances which make it reasonable to increase the amount to which they are entitled by numbers. They are not dependent on this school. They are under no necessity of accepting it at all. They have plenty of other poor schools in every quarter of the city, and within a few hundred yards of this they have Villiers' School, St. Michael's Protestant National School, and the Model School, to which they have no conscientious objection. If, then, they receive exactly the amount to which they are entitled by numbers, they can make it most useful in supplementing the income of the schools already in existence.

Besides, it should be remembered that, speaking broadly, the four or five thousand Protestants are the wealthy part of the population, and that it is obviously unfair to increase their portion at the expense of their poorer fellow citizens.

I should wish also to recall to the minds of the Commissioners the evidence given before them, and Lord Randolph Churchill's Commission, in reference to Villiers' Charity, and Hall's, by which it will be seen, that in the opinion of the heads of the Protestant Body, their existing school accommodation is amply sufficient.

The Commissioners have determined that this Endowment shall be applied according to the terms of the Will under which it was created, for the education of the poor. Whereas all the evidence, or the greater part of it given at the two last inquiries here, went to show that the Protestants of Limerick do not want it for such a purpose, but desire to employ it in establishing a classical school for the rich.

Hall's Charity has been diverted from educational to other benevolent purposes, because there were poor Protestants to avail of it. The same in fact is true of Villiers'. On what ground, then, can the Commissioners assign to them nearly three times the

amount of this Leamy Endowment to which by their numbers they are entitled?

2. Whatever division be made of the money, I think the school premises in the first instance ought to be offered to the Catholic Board. The reasons given by Dr. Molloy in his memorandum seem to me conclusive, but in addition I wish to inform the Commission that I am at this moment under the necessity of providing school accommodation in this very district for over four hundred children. This cannot be done at a less outlay than £3,000, and I ask, is it not a waste of public money in a poor place such as Limerick to hand over premises capable of holding four hundred pupils to a body who are required to keep in it only fifty, and then to require another body to spend £2,000 in providing the exact amount of accommodation that is lying unused here? It appears to me simply absurd. One would think that the school ought to be given in the first instance to those who had the greatest need of it, yet the Commissioners, while assigning to the Catholics twice as large an amount for a building fund as they allow the Protestants, yet, in the first instance, offer the school to them, and not to us.

I regret that the Commissioners did not think well to consult me as to the constitution of the Catholic Board. It is an invidious thing to find fault with individuals, but some of the clergy will, I am sure, have no objection to my suggesting others whose position in the city makes them more suited for the discharge of such a trust.

I would suggest also that whichever Board gets the school premises should be put under terms to maintain them in proper condition; and that the minimum average attendance of poor pupils should not be less than 100.

Taking the whole endowment then to be worth £12,000, the Protestant Body are entitled to the outside of £1,500. The rest of the endowment money and buildings should go to the Catholics.

Some points are made out of the statement that Leamy was a Protestant. Should the Commissioners think it of any consequence, having regard to the terms of his will, which makes no reference to any denomination, I shall be able to submit evidence that he was a Catholic, there being still living in this city Catholic members of his family.

(Signed) + EDWARD THOMAS,
Bishop of Limerick,
23 September, 1890.

II.—Most Rev. Dr. O'DWYER, Lord Bishop of Limerick. (Suggested Amendment.)

St. Mankin's College,
Limerick House, Limerick,
30th September, 1890.

DEAR SIR,—I should wish to suggest instead of the Dean and the Parish Priest of St. Mary's as members of the Catholic Board for Leamy's, the Administrator

of St. Michael's Parish, which is the largest and most populous in the city, and in which Leamy's School is situated, and the Administrator of St. John's, which is the next largest, and contains a large proportion of the poor and working classes.

(Signed), + EDWARD THOMAS,
Bishop of Limerick.

III.—THE EXISTING GOVERNING BODY OF LEAMY'S SCHOOLS.

The Board of Governors of Leamy's School have met and considered the Draft Scheme issued by the Educational Endowments Commission for the future management of that foundation. They considered that the Commissioners in their treatment of it have adopted a policy which is unjust, and destructive of an Institution which has for many years done good work under schemes approved by two Lord Chancellors of Ireland.

Although the facts bearing on this case have been fully brought before the Commission, they do not appear to have received due consideration. The Governors therefore think it right to state their opinion.

Mr. William Leamy, a Protestant, bequeathed the residue of his property, in 1814, to Protestant Trustees, to be employed by them for the education of the poor in Ireland, principally those in and about Limerick City; or, as his executors, in their better judgment, should deem most to give his bequest the most extensive efficacy. The executors did not act, whereupon the estate was administered in the Court of Chancery, and a scheme was drawn up, approved of by the then Lord Chancellor, and in accordance with what was believed at the time to have been the wish of the founder. Leamy's School was thus established in 1842. A course of elementary instruction was laid down, power being granted to extend it, should funds permit, with the approval of the Lord Chancellor, and the scheme provided that part of the daily instruction should consist in reading the Holy Scriptures without note or comment; and for that purpose the scholars should, during an hour each day, be placed in two separate rooms—the Protestants in one room and the Roman Catholics in another, the latter reading such portions of the Holy Scriptures as were read in National Schools under the title of Scripture lessons.

Both Protestants and Roman Catholics attended the School, and at the close of 1844 the latter formed twenty-five per cent. of the whole number of scholars. In consequence of an order issued in 1855 by the authorities of the Roman Catholic Church in Limerick, so many pupils of that persuasion were withdrawn, that the average attendance, which in June was 139, sank in the September following to 91. The Roman Catholic members of the Board have not since attended a meeting of the Governors. The present Roman Catholic Bishop stated to the Commissioners that he would not tolerate mixed education in any form, and this we believe to be the sole reason for the continued absence of so many Roman Catholic children and the Roman Catholic Governors. The School, whilst strictly conducted in accordance with the scheme of 1842, approved and amended by the Scheme of 1874, also sanctioned by the Lord Chancellor of the time, has therefore become for the past few years practically a Protestant School, though as far as the management is concerned, Roman Catholics have the same advantages as ever; and, as a matter of fact, a few Roman Catholics still continue to attend the School.

As it is owing to the recent action of the authorities of the Roman Catholic Church that the School has been made practically Protestant, we do not consider it just for them to come forward now and demand a division of this Endowment in proportion to the relative numbers of Protestants and Roman Catholics, or in any other proportion. Their right (and their only right) under the scheme as interpreting and administering Leamy's Will is to receive all the educational advantages that Leamy's School is able to give them, and these advantages are as open to them now as ever they were. The Commissioners in dealing with Leamy's School have adopted a method of dealing with mixed Endowments which has not hitherto been accepted as just, and which leaves these Endowments at the mercy of any discontented party. The Commis-

sioners appear to think that any party which participates in the benefit of a joint endowment may refuse to avail themselves of its advantages, and on withdrawal demand a share of the Endowment for its separate advantage. If this principle be carried into effect, no mixed Institution in the British Empire would be safe, whilst in Ireland especially, all mixed Institutions from Trinity College downwards, would be doomed to destruction, and the Protestants of the South and West of Ireland might be hopelessly deprived, owing to their being in a minority, and for no other reason, of all Endowments in which they have an interest.

Having adopted this principle, which appears to us to be an unjust one—the Commissioners propose to act as follows.—The Institution known as Leamy's School, a brick building, which dates from about 1843, and for which £40 ground rent is paid, is valued by them at £3,000. The money portion of the endowment is in round numbers £10,000 Government stock. The new Scheme gives the Protestants the option of retaining the buildings (will subject to the rent of £40 per annum), together with a sum of £3,000 of this stock. The remainder—some £8,000—is to be devoted to the purposes of Roman Catholic Education exclusively. The interest on the £2,500 Government stock would not pay the rent and maintain the building in repair. There would be nothing left to pay a master, a mistress, or even a monitor. The forty poor Protestants now provided with a free education, and others receiving instruction at a very low rate, would then be deprived of these advantages. The Institution, known and carried on for the last fifty years as Leamy's Free School, would be deprived of the funds provided by Leamy for the payment of teachers and the maintenance of the Institution which hitherto has preserved his name and commemorated his charity.

It is not necessary to destroy Leamy's School in order to provide educational advantages for poor Roman Catholics. The State has made ample provision for the instruction of the Roman Catholic poor, from which none are excluded unless those who exclude themselves. It is worthy of remark that no objection has been made to the character of the teaching conducted in Leamy's School.

It seems an extraordinary proposal to deprive the Protestants of Limerick of the educational advantages provided by Mr. William Leamy because they do not overrover the building. The Scheme, in order to provide some grounds for its action towards the Protestants, states that Leamy's Schools are capable of accommodating 400 pupils, but that the average attendance has been always small, having hardly ever reached 100. These statements are not correct. As mentioned already, when the Roman Catholics withdrew, the average attendance was 139. The accommodation is much overrated. The schoolrooms are all of the same size, and each would be inconveniently full with more than 60 pupils. There have always been pupils enough on the Girls' side to render it advisable to employ two schoolrooms; and on the Boys' side all the present accommodation would be required for additional courses of instruction.

The Board of Governors of Leamy's School are unable to reconcile the proposals of the Commissioners with the intention and wording of the Act of Parliament which created the present Educational Endowments (Ireland) Commission, whose duty it is, according to the preamble of that Act, to "increase the usefulness of endowments," not to dissipate or destroy them. The Commissioners even appear to have gone out of their way to deal with this Endowment in an exceptional manner, and not in accordance with the mode of procedure they have hitherto adopted. Dr. Traill, one of the Commissioners, and therefore qualified to speak on a matter of fact, states in his protest that

"when a Roman Catholic donor has left money to Roman Catholic Trustees, and has left his Educational Endowments open to all denominations, the Commission has not dared to propose a division of the funds, or to give a portion to Protestants for their own purposes," and gives instances of such endowments,—Hervey's Endowment at Mullingar, and Dempsey's Endowment at Kells.

In striking contrast to the manner in which the Commissioners have dealt with Leamy's School, we may refer to the Draft Scheme for what is called the Limerick Endowment for Technical Education, but which in reality is a Scheme for placing the Jesuits in the possession of certain lands and buildings at a nominal charge, and securing this possession to a body not recognised by the law of the land. Some of money amounting to £4,000 given by a London Relief Committee for the alleviation of distress in 1823, largely supplemented by public funds, were set apart for the teaching of Agricultural Sciences. A sum of £8,500 was employed in acquiring seventy acres of prime land, and in erecting the splendid buildings of Mungret, to be carried on as the Mungret Agricultural School and Model Farm. The buildings and the land are now in the possession of the Jesuits, who have made large additions to the original buildings, and employ them, not for the purpose of giving instruction in Agriculture, but for the training of Missionary Priests of that Order. A rent of £70 a year was nominally paid to the Trustees which was always returned, "receipts being exchanged."

The Jesuits are by the Scheme left undisturbed in the possession of the land and buildings. The College of hewn limestone, built about the year 1838, and the seventy acres of excellent land, all costing originally £8,500, are left to the Jesuits at a valuation of £2,800.

The fifty-year old brick building of Leamy's School, subject to a ground rent of £40 a year, is valued for the Protestants at £2,600.

The Board of Governors are of opinion that Leamy's Endowment is being applied substantially as Leamy intended it should, and in accordance with Scheme approved by two Lord Chancellors. But in view of the Commissioners determining to carry out their intention of dividing the Endowment, the Governors consider themselves justified in claiming such a portion of it, together with the schoolhouse, as would not only enable the future school Board to pay the £40 rent on the building, and to keep it in repair, but also to secure at least minimum salaries for male and female teachers, and to maintain efficiently an Institution of great advantage to many poor Protestants of the county and city of Limerick, and by which the name and benevolence of Leamy may continue to be worthily commemorated.

THOMAS BURNETT, Chairman.

JAMES DOWN, Secretary.

Board Room,
Leamy's School,
Sept. 10th, 1890.

IV.—JAMES QUIN, Esq., J.P., George-street, Limerick.

I am very glad to find the Commissioners recognise that to give proper efficacy to the Leamy Trust, denominational education is necessary and that Catholics are entitled to separate enjoyment of their own share.

But I fail to perceive by what principles the Commissioners have been guided in framing the actual scheme before us.

I hold that the only legitimate principle of division is the proportion of Catholics to Protestant poor, that any division that would assign to Protestants more than would thus be their strict share, would be guided by liberality on the part of the Commissioners rather than justice, and that such liberality ceases to be laudable or even lawful when it becomes lavish. Now in the case of the Leamy Endowment the liberality of the Commissioners takes the shape of giving to the Protestants in excess of their due share a large sum, which we contend, and the evidence proves, that they do not want for the purposes specified by Leamy; and taking the same large sum from the Catholics whose urgent needs the whole endowment would be miserably insufficient to meet.

Again I am at a loss to know why the first offer of

the school buildings should be made to the Protestant Board, in face of the fact that they have abundant school accommodation in that neighbourhood, whereas we, the Catholics, at the present time have pressing need of a school in that district for quite as many children as "Leamy's" can contain. And surely if an Endowment is to get its widest efficacy, a building capable of holding 400 must not be handed over to a body who have no hope of ever filling more than one-fourth of it, and who besides have no need of it, while on the other hand £1,000; one-fifth of the cash of the Endowment, is thrown away on brick and mortar.

Lastly it appears to me very strange that in order, apparently, to justify this extraordinary disposal of the buildings a minimum attendance of 50 is fixed, and no provision is made that these children, or indeed as far as I can see any portion of them, must be poor, whilst it is well known that the Catholic Board would find no difficulty in keeping in the school at least 300 children of the very class Leamy intended to benefit.

JAMES QUIN.

1st October, 1890.

V.—W. WILSON MERRICK, Head Master, Leamy's Free School.

The objection of the Head Master of Leamy School, Limerick, to the Draft Scheme for the administration of the Leamy Endowment hardly sheweth:

That Petitioner has been Head Master of the Leamy School since 1884, and since that time has conducted the school successfully, as evidenced by the annual report of the Inspector, and the attendance at the school. That Petitioner has been granted the sum of £100 as compensation for his varied interests, such compensation being estimated as the net salary of the Head Master. Your Petitioner begs that the Commission will reconsider the amount of compensa-

tion, as he considers it altogether inadequate, and not in accordance with the spirit of the 11th section of the Act, nor with the previous practice of the Commissioners in dealing with Head Masters; and also he wishes to remind them that besides the standing salary of £100 there are attached to the Head Mastership capitation fees of £1 on each pupil over twenty (which amounted in the year of the passing of the Act to £56) and a residence, &c., valued at £26 a year.

W. WILSON MERRICK,

October 3, 1890.

Head Master.

VI.—Miss MARY MERCER, Head Mistress, Lenny's Free School.

Lenny School, Limerick,
October 3, 1890.

GENTLEMEN—I beg to submit for your consideration the following facts with reference to the proposed Scheme for Lenny School.

For the past eleven years, since my appointment as Head Mistress, there has never been an unfavourable report at the yearly examination, nor the slightest complaint about the teaching or management from the Governors or parents.

My school has always maintained a large attendance, and if left undisturbed would, I feel confident, still keep up its present number.

The two under-teachers have also been here a long

time, and have always been satisfactory in every respect.

You have proposed in the Scheme to grant us a year's net salary, which in my case would be £50. In addition to this I have been allowed capitation fees, which in the year 1885 amounted to £41, and in subsequent years have been on an average £20. Besides this, house, coal, and light, valued at £25, making a total of almost £100 a year.

It is a serious matter to us to lose our situation, after so many years of faithful work, through no fault of ours, and I most respectfully beg that you will kindly reconsider our claims to a larger amount of compensation.

(Signed), MARY MERCER.

VII.—SAMUEL MOORE, Assistant Master, Lenny's Free School.

Lenny School, Limerick.
2d August, 1890.

SIR—I respectfully submit that the compensation offered me is insufficient. I therefore offer my protest against it.

The Secretary, Education Commission, Dublin.

(Signed), SAMUEL MOORE.

JOINT OBJECTIONS TO SCHEMES No. 90, 94, AND 95.

I.—THE DIOCESAN COUNCIL OF LIMERICK.

The Council of the Diocese of Limerick, representing the members of the Church of Ireland in this Diocese, having considered the Draft Schemes of the Educational Endowments Commission relating to Lenny's School, Roxborough School, and Mungret College, begs leave to submit to the Commissioners the following objections:—

I. With reference to Lenny's School Endowment, the Council objects to the Scheme (a) because it would be destructive of an Institution which has for a considerable period been a useful Educational Establishment in the City of Limerick, available for both Protestants and Roman Catholics.

(b) Because the proposed plan, instead of being in accordance with the spirit of the Act of Parliament creating the Commission, is opposed to it, destroying an Educational Establishment by dividing its Endowment instead of seeking to increase its usefulness. The only reason assigned for any division being the recent non-attendance of Roman Catholic children, entirely caused by the action of the authorities of the Church of Rome.

(c) Because the division as proposed gives to the Roman Catholics £8,000 of the Endowment of an Institution representing the charity of a Protestant donor, which from its foundation has been undenominational, while it leaves to the Protestants the building and a fund insufficient to pay the rent and repairs, with nothing to provide an educational staff.

The Council therefore, in case the Commissioners should adhere to their proposal to divide the Endowment, claims that the buildings, together with a sufficient amount to maintain the Institution efficiently, be given to the Protestant Board.

II. With reference to Roxborough Road School Endowment, the Council objects to the Draft Scheme of the Commissioners, inasmuch as it offers that Schoolhouse to Public Auction, though it has always been in Protestant hands, is a useful Educational Establishment, and is occupied by the present Manager with the knowledge and assent of the Commissioners of Education. The Council submits that it would be but just for the Educational Endowments Commissioners to act on the principle by which they have been guided

in the case of the Waterford Diocesan School and other similar instances, and to offer it to the present Manager at a valuation to be made by the Commissioners themselves.

III. With reference to the Mungret College Endowment, the Council regrets that the buildings and lands granted originally for Agricultural Education have been diverted to other purposes. If, however, the original trusts can be carried out in no other way than by a sale to the present Lessees of the land and buildings, and the allocation of the purchase money to those trusts, the Council objects to the very low sum proposed by the Commissioners as the purchase money of those buildings and land,—namely, £2,500, whereas they originally cost £10,821, as appears from the Report of the Royal Commission of Enquiry (Primary Education, 1870), page 873, sec. 195, where it is stated "The residence and school buildings are distinguished from the farm: offices and cost £7,854." And on page 873, sec. 209, that "the farm buildings, independent of the residence and school buildings, cost £3,357," making a total of £10,281, to which should be added £1,000 paid for 70 acres of land held in fee.

The Council would therefore ask the Commissioners to reconsider this portion of their Scheme and to put a higher value on the land and buildings.

On the whole the Council is of opinion that the principles of the schemes in question are irreconcilable with the principles of justice, and with those which seem to underlie schemes already issued by the Commissioners in analogous cases. And while the Council has no intention of demanding more than what is due to the members of the Church of Ireland, whom it represents, it would firmly maintain what it considers their just rights, which, in the Council's opinion, are being ignored in the Draft Schemes now under consideration.

THOS. BURNETT, Chairman.
EDWARD GARETT, Secretary.

Diocesan Council Room, Limerick,
September 29, 1890.

II.—THE DEACONS' COURT OF THE PRESBYTERIAN CHURCH, LIMERICK.

The Deacons' Court of the Presbyterian Church, Limerick, having considered the Draft Schemes of the Educational Endowments Commission relating to Leamy's School, Roxborough School, and Mungret College, desire to place on record their opposition to said Schemes.

They concur in the objections stated and the views expressed by the Board of Governors of Leamy's

School, and by the Diocesan Council of Limerick, in reference to all the Endowments embraced in these Schemes.

They express an earnest hope that the Commissioners may be pleased to reconsider their Schemes and give effect to the objections and proposed amendments.

Limerick, September 23, 1890.

III.—OFFICIALS OF THE CONGREGATION WORSHIPPING IN WESLEY CHAPEL.

We, the Officials assembled in Quarterly Meeting, representing the Congregation worshipping in Wesley Chapel, George Street, desire to enter our earnest protest against the Draft Scheme drawn up by you for the Diocesan, Mungret, and Leamy's Schools, in the City of Limerick, so far as they seem to sanction the giving unsectarian funds to any one particular denomination for its sole and undivided use. We point out that this will inevitably be at the expense and to the detriment of the smaller denominations, who will thus be deprived of their citizen rights of sending their children, as at present, to an undenominational school, where the conscience clause is respected and kept unviolated.

With regard to the Diocesan School, we claim that the right of private sale shall be extended to Canon Gregg, as in the case of the Jesuits at Mungret, at a fair valuation. With regard to Leamy's School, we object most strenuously to the handing over of Protestant funds to be administered by Roman Catholics, and we point out the fact that any withdrawal of the

present funds, or a part of the present funds, from the establishment, must inevitably lead to close its doors against our children and the children of those who agree with us in demanding unsectarian education, and to wreck the present admirable system of education carried on there.

With regard to Mungret Agricultural College, we draw attention to the fact, that according to the Primary Education Commission Report of 1870 (pp. 372-3, para. 199 and 309), the cost of that building, with the farm and lands attached, cannot be less than £10,821, and as this Commission has endorsed the right of the public to all this at a fair valuation, we suggest that 2,500, or £125 per year, is not an equivalent, and does not satisfy justice or public rights.

Signed on behalf of Meeting,

SAM'L A. ROBERTSON, Minister.
WM. CHURCH.
HENR. BOWKINGTON.

IV.—THE CONGREGATIONAL CHURCH, LIMERICK.

We, the Church and Congregation worshipping in Catherine-place, Limerick, beg to call your attention to the grave dangers which threaten our rights as citizens, and all who may agree with us in our opinion on the matter of education, in your Draft Schemes of August 4th, 1890, concerning the Leamy's School, Mungret College, and Roxborough Road School.

The purpose to take £8,000 of Protestant and Unsectarian money and turn it to Denominational and Roman Catholic uses under a Roman Catholic Board, we believe to be against the law of the land as it stands at present, and detrimental especially to our interests, and that of kindred churches who agree with us in demanding unsectarian education, and especially that unsectarian funds shall continue to be administered in an unsectarian manner. We particularly call your attention to the Report of your predecessors, Her Majesty's Commissioners in 1858, the earliest record we can find on the subject (Report of Endowed Schools Commission, Vol. III., Table No. I., p. 346) in which it is stated that Leamy's School is established for such "as may be willing to take advantage thereof," plainly implying that the founder, so far as his mind is expressed in the Chancery Scheme, was not unconscious of the religious difficulty, but only wished to open the doors of the school to such as cared to sink their religious differences and voluntarily avail themselves of the privileges offered. We claim, therefore, that the Endowment shall so continue to be administered without special favour to any particular denomination, no fault or failure of efficiency having been proved before your Commission, the only change being made in the direction of accepting the new Scheme of Governors recently nominated by you.

We plead that as the money is Protestant money it

should remain in its entirety in Protestant hands; and we further claim and demand the full use of the whole Endowment and school buildings for our children so far as they may need them, and that in a way in which their religious convictions shall be in no danger of being tampered or interfered with.

With regard to Mungret Agricultural School, we note with thankfulness your recognition of the public claims to the farm, land, residences, and school buildings, but we believe your valuation of £7,500 to be below the mark. We refer to the Report of the Royal Commission of Inquiry (Primary Education, Ireland, 1870), in which the residences and school buildings "as distinguished from the farm offices" are said to have cost £7,554 (p. 373, par. 199), and "the farm buildings independent of the residences and school buildings" to have cost £3,247 *Os. 7d.* (p. 373, par. 309). We claim that the whole of this public interest, whatever it may be, shall be brought out at a fair valuation and handed over in its entirety to the "Limerick Endowment for Technical Education" by the Jesuits if they are to remain in occupation at Mungret.

In the case of both Mungret College and Roxborough Road School, we urge that the present occupiers shall have the first right and offer of purchase, and that, in both cases alike, the sale shall be negotiated privately and in the same friendly and fair spirit as towards both.

Signed on behalf of the Church and Congregation,

WALTER BAKENHAM, Pastor.
GEORGE BOTE, Deacon.

September 24th, 1890.

V.—THE CONGREGATION WORSHIPPING IN BEDFORD ROW METHODIST CHURCH.

We, the Officials representing the Congregation worshipping in Bedford Row Methodist Church, assembled in Quarterly Meeting, desire to enter our earnest protest against the Draft Schemes drawn up by you for the Diocesan, Leamy's, and Mangret Schools, in the City of Limerick, so far as they seem to sanction the giving of the unsectarian funds to any one particular denomination for its sole and undivided use. We point out that this will inevitably be at the expense, and to the detriment of the smaller denominations, who will thus be deprived of their citizen rights of sending their children, as at present, to an unsectarian school, where the conscience classes is respected and kept unviolated.

With regard to the Diocesan School, we claim that the right of private sale shall be extended to Canon Gregg, as in the case of the Jesuits at Mangret, at a fair valuation.

With regard to Leamy's School, we object most strenuously to the handing over of Protestant funds to be administered by Roman Catholics, and we point out the fact, that any withdrawal of the present funds from that establishment must inevitably tend to close its doors against our children, and the children of those who agree with us in demanding unsectarian

education; and to wreck the present admirable system of education carried on there.

With regard to Mangret Agricultural College, we draw attention to the fact, that according to the Primary Education Commission Report of 1870 (pp. 872-3, para. 199 and 208), the cost of that building, with the farm buildings and land attached, cannot be less than £10,821, and as the Commission has endorsed the right of the public to all this at a fair valuation, we suggest that £2,500, or £125 *per annum*, is not an equivalent, and does not satisfy justice or public rights.

Signed on behalf of the meeting,

SAMUEL T. BOYD, B.A., Methodist Minister, 34, Henry Street, Limerick, } Chairman.

WILLIAM NELSON, 61, William Street, } Circuit
ROBERT HANNA, 131, George Street, } Stewards.

September 25th, 1890.

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